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LEGISLATIVE HISTORY

Public Law 472

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INDEX AND SUMMARY OF H. R. 374

January 5, 1955	Rep. Engle introduced H. R. 374. Referred to Committee on Agriculture.
June 14, 1955	Hearings: House Committee on Agriculture.
July 11, 1955	House Subcommittee voted to report H. R. 374.
July 13, 1955	House Committee reported without amendment. House Report 1170.
July 30, 1955	House passed H. R. 374 without amendment.
August 1, 1955	Referred H. R. 374 to Senate Committee on Agriculture and Forestry.
March 21, 1956	Senate Committee ordered H. R. 374 reported without amendment.
March 22, 1956	Senate Committee reported H. R. 374 without amendment. Senate Report 1702.
March 26, 1956	Senate passed H. R. 374 without amendment.
April 6, 1956	Approved: Public Law 472, 84th Cong.

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DIGEST OF PUBLIC LAW 472

STANISLAUS NATIONAL FOREST LANDS. Authorizes the Department of Agriculture to accept a conveyance of about 440 acres of land in Stanislaus National Forest and to convey an adjoining 440 acres to the grantors thereof.

THE HISTORY OF THE

REIGN OF KING CHARLES THE FIRST
IN WHICH ARE CONTAINED
THE MOST IMPORTANT AND INTERESTING
EVENTS OF HIS REIGN
FROM HIS MARRIAGE TO HIS DEATH
BY JOHN HUME
ESQ.
OF THE BAR

84TH CONGRESS
1ST SESSION

H. R. 374

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1955

Mr. ENGLE introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in order to clarify and adjust the ownership of certain
4 tracts of land situated within the exterior boundaries of the
5 Stanislaus National Forest, California, the Secretary of Agri-
6 culture is authorized on behalf of the United States to accept
7 from the persons claiming title under patent from the State
8 of California a deed of conveyance of the lands described as
9 follows: South half northwest quarter and north half south-
10 west quarter of section 29, and south half northeast quarter,

1 south half northwest quarter, northeast quarter southwest
2 quarter, northwest quarter southeast quarter, and northeast
3 quarter southeast quarter of section 30, township 4 north,
4 range 19 east, Mount Diablo meridian, California, which
5 lands are a part of the Stanislaus National Forest and sub-
6 ject to all laws and regulations applicable to said national
7 forest, and the Secretary of Agriculture is further authorized
8 to thereupon quitclaim and convey to the grantors of the
9 lands described above all right, title, and interest of the
10 United States in and to the lands described as follows:
11 South half southeast quarter of section 25, and northeast
12 quarter northeast quarter of section 36, township 4 north,
13 range 18 east, and south half south half of section 30, and
14 north half north half of section 31, township 4 north, range
15 19 east, Mount Diablo meridian, California, subject, how-
16 ever, to reservations of such easements for road rights-of-way
17 as the Secretary of Agriculture may determine to be neces-
18 sary for the protection and administration of the Stanislaus
19 National Forest.

A BILL

To authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, California, and for other purposes.

By Mr. ENGLE

JANUARY 5, 1955

Referred to the Committee on Agriculture

SALE OF CERTAIN LANDS IN NATIONAL FORESTS

HEARING
BEFORE THE
SUBCOMMITTEE ON FORESTS
OF THE
COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH CONGRESS
FIRST SESSION
ON

H. R. 374, 426, 763, 4004, and S. 1079

JUNE 14, 1955

Printed for the use of the Committee on Agriculture

Serial W



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SALE OF CERTAIN LANDS IN NATIONAL FORESTS

TUESDAY, JUNE 14, 1955

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON FORESTS OF THE
COMMITTEE ON AGRICULTURE,
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to call, in room 1310, New House Office Building, Hon. George M. Grant (chairman of the subcommittee), presiding.

Mr. GRANT. The committee will come to order, please.

We have several bills for consideration this morning.

(The bills are as follows:)

[H. R. 374, 84th Cong., 1st sess.]

A BILL To authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, California, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to clarify and adjust the ownership of certain tracts of land situated within the exterior boundaries of the Stanislaus National Forest, California, the Secretary of Agriculture is authorized on behalf of the United States to accept from the persons claiming title under patent from the State of California a deed of conveyance of the lands described as follows: South half northwest quarter and north half southwest quarter of section 29, and south half northeast quarter, south half northwest quarter, northeast quarter southwest quarter, northwest quarter southeast quarter, and northeast quarter southeast quarter of section 30, township 4 north, range 19 east, Mount Diablo meridian, California, which lands are a part of the Stanislaus National Forest and subject to all laws and regulations applicable to said national forest, and the Secretary of Agriculture is further authorized to thereupon quitclaim and convey to the grantors of the lands described above all right, title, and interest of the United States in and to the lands described as follows: South half southeast quarter of section 25, and northeast quarter northeast quarter of section 36, township 4 north, range 18 east, and south half south half of section 30, and north half north half of section 31, township 4 north, range 19 east, Mount Diablo meridian, California, subject, however, to reservations of such easements for road rights-of-way as the Secretary of Agriculture may determine to be necessary for the protection and administration of the Stanislaus National Forest.

[H. R. 426, 84th Cong., 1st sess.]

A BILL To provide for the establishment of townsites and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That areas of not to exceed six hundred and forty acres for any one application may be set aside and designated by the Secretary of Agriculture as a townsite from any national forest land or land administered by the Secretary of Agriculture under title III of the Bankhead-Jones Farm Tenant Act, upon application and satisfactory showing of need therefor by any county, city, or other governmental subdivision. Areas so designated may be divided into townlots and offered for sale by the Secretary of Agriculture at public sale to the highest bidder: *Provided,* That any of such lots as may be offered for sale at a public sale and for which there is no satisfactory bid may be disposed of by the

Secretary of Agriculture at private sale for not less than the appraised value thereof: *Provided further*, That any person now occupying any of such lands and having constructed improvements thereon pursuant to a permit or other authorization from the Federal Government shall be given the opportunity of purchasing such lands at the appraised value.

[H. R. 763, 84th Cong., 1st sess.]

A BILL To provide that certain lands acquired by the United States shall be administered by the Secretary of Agriculture as national forest lands

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those certain lands situated within the boundaries of the Lincoln National Forest, New Mexico, which were conveyed to the United States by the State of New Mexico by deeds dated December 3, 1951, and recorded in book 142 at pages 547 to 556, inclusive, records of Otero County, New Mexico, in exchange for lands of the United States pursuant to the Act of June 28, 1934 (48 Stat. 1269; 43 U. S. C. 315g), as amended, are hereby made parts of said Lincoln National Forest and hereafter shall be subject to all laws, rules, and regulations applicable to the national forest.

[H. R. 4004, 84th Cong., 1st sess.]

A BILL To provide for the sale of certain lands in the national forests

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to sell at not less than the appraised value, and under such terms and conditions as he deems appropriate, lands in the national forests which are (1) isolated parcels or narrow projecting strips, or (2) lands immediately adjacent to urban areas, when he finds such lands suitable for private ownership and better adapted to commercial, agricultural, residential, or other private purposes than to national forest purposes.

[S. 1079, 84th Cong., 1st sess.]

AN ACT To provide for the sale of certain lands in the national forests

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to sell at not less than the appraised value, and under such terms and conditions as he deems appropriate, lands in the national forests which are isolated parcels or narrow projecting strips when he finds such lands suitable for private ownership and better adapted to commercial, agricultural, residential, or other private purposes than to national forest purposes.

Passed the Senate April 25, 1955.

Attest:

FELTON M. JOHNSTON, *Secretary*.

Mr. GRANT. I understand that Mr. McConnell wants to file a statement in behalf of Congressman Fernandez on H. R. 763.

Would you like to make a statement or just file it for the record?

Mr. McCONNELL. Mr. Chairman, I prefer to just file it for the record. I appreciate that very much.

Mr. GRANT. All right.

STATEMENT OF HON. ANTONIO M. FERNANDEZ, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF NEW MEXICO

Mr. Chairman and members of the committee, the purpose of H. R. 763, a bill which I introduced but which is identical with S. 72 passed by the Senate, is to give national-forest status to some 13,551 acres of Federal timberlands scattered in some 35 different small tracts within the Lincoln National Forest. These checkerboard lands were formerly owned by the State of New Mexico, and were exchanged for other nontimber public-domain lands outside the national forest, thereby becoming federally owned but under the administration of the Bureau of Land Management under the Taylor Grazing Act.

The Department of the Interior and the Department of Agriculture both agree that these lands should be placed under the Forest Service for administration as forest lands. In fact the very purpose of making the exchanges, in which both Departments and the State cooperated, was to bring the lands under Federal ownership so that this could be done, and the sole purpose of the bill is to accomplish the purpose sought by these exchanges.

I respectfully suggest therefore that the committee shelve my bill and that it consider S. 72, which I urge be reported out for action by the House.

Mr. GRANT. We also have two bills by Mr. Engle of California, which are H. R. 374 and H. R. 426.

**STATEMENT OF HON. CLAIR ENGLE, A UNITED STATES
REPRESENTATIVE FROM THE STATE OF CALIFORNIA**

Mr. GRANT. Mr. Engle, we will be glad to hear from you at this time.

Mr. ENGLE. Mr. Chairman, my statement will be very brief, dealing first with H. R. 374. This bill has a favorable report from the Department of the Interior.

The purpose of this bill is to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, Calif. This is the second time, I believe, Mr. Chairman, that I have had a situation of this character. In the early days of California we had a good many fraudulent surveys. That is, the Government employed survey crews to go out and make surveys. Apparently, the boys spent all of their time in camp drinking whisky, playing cards, and whenever they were not doing anything else they went fishing. They turned in some notes as to where they were supposed to be surveying and, actually, they didn't survey on the ground at all. Of course the Government paid for those surveys. People went out and located their lands on what they believed to be the lands that they were to occupy under the survey, and then later on they found out that they were not on the right land at all.

This is one of those situations. What his bill does is swap the people who have lived for, it seems to me, over 50 years, on this particular area, the land on which they are actually located for other lands of approximately equivalent value and of the same nature, which is the land to which they would be entitled if they were on the piece of property which they thought they were on but which they are not because of the nature of this fraudulent survey. In other words, it is just a swap of land for land in order to make it possible for people who relied upon a Government survey which was in fact fraudulent and in error.

As a consequence, it involves no cost to the Federal Government. It is simply a matter of putting people on land which they thought they were on all the time or which they thought they had a right to be on all the time, and, due to this survey, they are not.

Unless there is some question, that is all I have to say about that bill.

Mr. GRANT. I would just like to ask if the gentlemen who drank and who were playing poker were Californians who were making the survey?

Mr. ENGLE. Well, they were Californians who had come from the East, Mr. Chairman.

Mr. MATTHEWS. Mr. Chairman, it seems to me as though this is a noncontroversial bill.

Mr. ENGLE, are the people who are to be moved pretty well satisfied with this idea?

Mr. ENGLE. They are not going to be moved.

Mr. MATTHEWS. It just confirms the title?

Mr. ENGLE. That is right. They are on this piece of land here. They thought they were on another piece of land, and because of this fraudulent survey they got on one piece of land instead of the other. So the Government says, "Well, they are about the same type of land, so we will swap titles and you will be on the land you are supposed to be on and everybody will be happy."

Mr. HAGEN. Actually, about all you are doing is correcting a description; is that right?

Mr. ENGLE. That is what it amounts to. We are correcting their patent.

Mr. HAGEN. The land they are on was not described correctly originally, and you are describing it correctly now?

Mr. ENGLE. That is correct. It is a swap for land of equivalent value, except that the people have put investments in the land which they thought they had a title to but which they did not.

Mr. GRANT. Are there any further questions?

Mr. ENGLE. The second bill, Mr. Chairman, and this bill, as I say, has been favorably reported and cleared by the Bureau of the Budget, H. R. 426, is a little more general in its application. The first bill, H. R. 374 is really a private bill. H. R. 426 provides for the establishment of town sites and for other purposes. This bill was drafted at my request by the Department of Agriculture. A favorable report has been submitted on that legislation, and the Bureau of the Budget has cleared it. Here is what we are up against out in California, and these are the facts upon which this legislation is based:

A great many of the mountain communities in the Sierra Nevadas, as Mr. Hagen knows, are wedged down in little canyons, like Downieville, Weaverville, and some others. The national forests come right down almost to the edge of the present townsite. The influx of people in California have those townsites bulging at the sides, but they cannot get out into those national-forest areas except on year-to-year permits.

This bill would permit the Forest Service to block off lands adjacent to those townsite areas at the request of a governmental subdivision, and to sell lots on those areas to the highest bidder. In other words, it is the creation of living space for people in those mountain areas where they are so closely closed in now with national-forest areas that there simply is not room anywhere for people to establish their homes and live. Unless we are going to have a situation where these small communities are completely and perpetually stifled, we will have to have legislation of this sort.

The application, of course, has to be cleared by the Department of Agriculture. It has to be made by a governmental organization, either the city or a county government, and it has to be adjacent to a townsite to meet this particular need. The Department of Agriculture report is rather explicit in regard to the need for this type of legislation. It is something we should have done a long time ago,

and I hope it will have the favorable consideration of your subcommittee.

Mr. GRANT. Mr. Engle, I notice in the report from the Department of Agriculture, on page 2, it states the bill should be amended in two respects. Will you discuss those amendments and state whether or not you agree with them?

Mr. ENGLE. I do not have any objection to the amendments. One of them requires that the sales of townlots should be made for not less than the appraised value regardless of whether the sale is a public one to the highest bidder or a private sale. It says the bill does not specify this qualification with respect to the public sale. I think, as the committee knows, it has been the practice of the Department of Agriculture with reference to the disposal of forest products to put them on a minimum value. I have always doubted the intelligence of that privilege where you have bona fide public bidding, with a number of bidders. But I would not have any objection to the amendment.

The second amendment, the second proviso, on page 2 does not cover the situation of a person occupying lands to be sold and owning the improvements on the land which he purchased from a predecessor who had constructed them. This could be corrected by deleting the phrase on page 2, "and having constructed improvements thereon", and inserting in lieu thereof, "on which improvements have been constructed by him or his predecessor."

I have no objection whatever, Mr. Chairman, to the adoption of those amendments which I regard as perfecting amendments.

Mr. GRANT. Are there further questions?

If not, we thank you very much, Mr. Engle.

Mr. ENGLE. Thank you, Mr. Chairman. I appreciate the opportunity of appearing.

Mr. GRANT. The next bill is H. R. 4004, introduced by Mr. Hope, which is a bill providing for the sale of certain lands of the national forests. I believe we have some witnesses from the Department on this.

Is Mr. Craft in the room?

Mr. Craft, will you come forward, please?

STATEMENT OF EDWARD C. CRAFT, CHIEF, FOREST SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. GRANT. Mr. Craft, do you have a prepared statement?

Mr. CRAFT. No, Mr. Grant, I do not have a prepared statement on this bill.

Mr. GRANT. I was looking for a report here from the Department. I do not believe we have a written report, do we?

Mr. CRAFT. Mr. Grant, the Department was not requested for a report on this bill from the House committee, but we did report on it for the Senate committee. I thought I might read to you excerpts from the Senate committee report which states the position of the Department on this bill.

Mr. GRANT. We will be glad for you to do that, sir.

Mr. CRAFT. We recommend enactment of this bill. The Department's report to the Senate committee was cleared through the Bureau of the Budget.

Mr. McINTIRE. Mr. Craft, what was the number of the Senate bill?

Mr. CRAFT. S. 1079. The bills, as they were introduced in the House and Senate were identical. The Senate committee amended the bill before it reported it out, and it has now passed the Senate, but in amended form.

Mr. MATTHEWS. Mr. Chairman, may I interrupt there?

Mr. Craft, is this a bill similar to the one that was defeated in the House in the last session? Do you recall?

Mr. CRAFT. No. As I recall, this committee, last session, asked the Department for a report on two bills that were before the House, H. R. 2725 and 2105—the last Congress. We reported adversely on those bills, and recommended this bill as a substitute for them. It was introduced in the House last year by Mr. Hope when he was chairman of the committee, but it never came up for consideration. H. R. 4004 would authorize the Secretary of Agriculture to sell to private owners at not less than appraised value and under such terms and conditions as he deems appropriate, national forest lands which are: (1) Isolated parcels or narrow projecting strips, or (2) lands immediately adjacent to urban areas.

Before offering any lands for sale, the Secretary would be required to find that the lands to be offered are suitable for private ownership and better adapted to commercial, agricultural, residential, or other private purposes than the national forest purposes. National forest lands consist, for the most part, of those reserved for the public domain by Presidential proclamation, those purchased under the Weeks law, and lands acquired in exchange for the other lands or timber. As a consequence, some of the national forests have irregular boundaries. Furthermore, there are many tracts within national forest boundaries that are either privately owned or in other public ownership.

For example, the total area within the national forests boundaries June 1954 was 221 million acres, but only 180 million acres of this actually had national-forest status. Because of boundary irregularity and the intermingling of other lands with national forest lands, situations arise where it is difficult or impossible to effectively administer small areas of land in national-forest ownership which are isolated from other national-forest land. Most of the national forests are located in the western United States, where substantial expansion of population, agriculture, and industrial development is underway. Many cities and large towns within, adjacent to, or near the national forests are rapidly expanding in the west, and sometimes such expansion is hindered because of nearby national-forest lands which cannot be made available for residential or other urban purposes, except under permit.

If this bill were enacted, the Department would not interpret it as authorizing any large-scale disposal of the national forests. We would not interpret it as authorizing, through sale, any change in the national forests system or, for example, the sale of valuable national forest timberlands which can be efficiently administered as part of the sustained yield timber-management program of the national forests.

However, the bill would offer means whereby the Department could dispose of small areas to private owners which it cannot effectively administer, and also to meet the need for urban expansion. With respect to the authority which the bill would provide to sell isolated parcels or narrow projecting strips, the Department would

plan to implement such authority mainly outside established national forest boundaries, when it is impractical to exchange the lands for areas within the national forest boundaries, only when the lands offered for sale cannot be effectively administered and only when they are residual areas or remnants involving only a few acres to a few sections in size.

With respect to the authority which would be provided in the bill to sell to private owners national forest lands adjacent to urban areas, the Department would construe that authority as applicable mainly to the larger metropolitan areas, cities, and towns. We would rarely use it for the smaller towns and believe that areas which are used only for summer-home purposes would not qualify as urban, within the meaning of the bill.

There is another bill before the committee, one Mr. Engle just testified on, the townsite bill, which would authorize the establishment of townsites not to exceed 640 acres of national forest lands, their division into townlots and their sale. We also favor this bill, and we believe that the townsite bill would better meet the need for expansion of small towns than would this bill.

That completes the statement that was in the Department's report, Mr. Chairman, in which we endeavored to explain the way in which the Department would interpret and administer this bill if it were enacted.

I think that completes my statement on it, unless you have some questions.

Mr. GRANT. Do you recall whether or not the Senate added any amendments to the bill?

Mr. CRAFT. Yes, Mr. Grant. I have a copy here of the Senate bill as it passed the Senate. They struck the provision relating to the sale of lands immediately adjacent to urban areas, and said in their report that because that provision was related to the townsite bill, which is also before the Senate, they thought the matter of the sale of areas under either the townsite bill or close to urban areas in this bill ought to be considered at the same time. So, as the Senate passed the bill, it would give authorization only to sell lands which are isolated parcels or narrow projecting strips, when the Secretary finds such lands more suitable for private than national forests purposes. In other words, the Senate struck, on line 7, beginning with "or" to the end of the line.

I have a copy of the Senate bill as it passed the Senate, if you want to see it.

Mr. JENNINGS. Was any consideration given to first offering this to either county, State, or municipal governments to be used for public purposes, such as parks and recreation areas?

Mr. CRAFT. Yes, some thought has been given to that. That is somewhat of a difficult question to answer. I think the best answer I can give is this. In the national forests, except for small agricultural areas in the eastern national forests, there has heretofore been no authority to sell any national forest land, with 1 or 2 very minor, very limited exceptions. There is this need which this bill would attempt to cover to dispose of certain of these scattered tracts. This bill is sort of plowing new ground. It is broad authority. It has to be carefully administered. I think our feeling was that the need for these lands, if they were going to be moved out of Federal owner-

ship, was probably greater to move them into private ownership than to open it up at the present time to go into State and county governments. It is sort of the philosophy of taking one step at a time and seeing how this works before we take the additional step and open it up to sale to States and counties.

Mr. JENNINGS. It appears to me that is correct, but once it has passed to private hands it would be difficult then for the municipalities, county, or State governments to get some of these tracts that might be valuable for public recreational areas. I understand particularly those areas might be adjacent to urban communities rather than the ones which are projected now.

Mr. CRAFT. If there were lands that were more suitable for parks or recreation areas, I do not believe we would sell them under this bill. Under this bill, there has to be an affirmative determination that they are more suitable for private purposes than for national forest purposes.

Mr. JENNINGS. Yes, the national forests. But at the same time, the National Forest Service would not go into a park business or would not look at it for the development of a park unless it were suitable for a national park. Yet it might be suitable to clear away the underbrush, build some picnic facilities, and make it a real asset to either a community or 2 or 3 counties. It appears to me that some thought should be given to giving first priority to public use so far as those purposes. Nothing in this bill provides that you may do it, as I understand it.

Mr. CRAFT. That is correct. This would not authorize sale to other public bodies. That is correct.

Mr. JENNINGS. That is all.

Mr. HAGEN. Mr. Craft, the Angeles National Forest in Los Angeles County, for example, I believe, runs right down to the boundary of Hollywood. You might have wholesale sales down there. Will you consider first the providing of conventional disposal of forest lands, for small tracts and so forth?

Mr. CRAFT. Was your question, do we?

Mr. HAGEN. Under this bill, you do not do that, do you?

Mr. CRAFT. I am not sure I got your question.

Mr. HAGEN. Presently, you can dispose of Forest Service lands in small tracts, for example?

Mr. CRAFT. No, we cannot. The public-domain land can be so disposed, but the Small Tracts Act does not apply to national forests at the present time.

Mr. HAGEN. Is there any method where sale is not presently available for these lands? Is there any method existing presently for getting lands of this character into private hands under any arrangement?

Mr. CRAFT. At the present time, we can dispose of national forest lands in these ways: We can exchange land with private owners or we can exchange it with States or with local governments. We can sell lands that were acquired under the Weeks Act, purchased national forests lands which would apply in the East, and not to your situation in California, if those lands are small agricultural areas that got included. Certain national forest lands in the West can be homesteaded under the Forest Homestead Act. That does not take care of what you are talking about.

They go to private ownership under the mining laws. The national forest lands in the West are established by Presidential proclamation. They can be redeclared public domain, and then they go to Interior and be subject to disposal under the acts applicable to the public domain. Those are the ways which are available at the present time.

Mr. HAGEN. That last method, transmitting to Interior, you do not think that would be suitable to get rid of these?

Mr. CRAFT. It is very awkward and very cumbersome. In the consideration of these bills, we have had consultation with the Department of the Interior, and they have indicated to us a favorable reaction with respect to Agriculture obtaining authority to handle such disposals directly.

Mr. HAGEN. I did not understand that.

Mr. CRAFT. The Department of the Interior has given us a favorable position on their part with respect to Agriculture handling these needed disposals directly and not going through this rather cumbersome procedure of changing land status and then switching it over to them and getting it on their records and so on. We have done some of that. We have done quite a bit of that in Alaska.

Mr. HAGEN. Is it not possible that under this legislation there would be severe encroachment of private ownership in that Angeles National Forest? That area is growing tremendously.

Mr. CRAFT. It is areas like outside of Los Angeles, Tucson, and some of these larger cities in the West, where the suburbs are growing right up into the national forests, where the lands have real-estate values, not as wild lands, but as suburban property. It has seemed to us that we ought to recognize the need for that type of expansion of the western cities. It is not a normal function of the Forest Service to be in the real-estate business, so we believe there ought to be provision whereby needed expansion of that sort could be met. That is the type of authority that this bill would give. It would give very broad authority, as you can see, the way it is worded, and it would have to be administered with considerable care.

Mr. HAGEN. Do you think the Government is well protected by the proposal?

Mr. CRAFT. If you have confidence in the executive branch, it is. If you have some question as to whether the executive branch will administer it properly now or at some time in the future, you may feel that it does not. As I said this is very broad authority.

Mr. McINTIRE. Mr. Craft, it is my understanding that in referring to the two bills, H. R. 4004 and H. R. 426, that section 2 of H. R. 4004 has been stricken out on the Senate side with the thought that the principle in H. R. 426 accomplishes the same objective and perhaps refines it a bit more than the section 2 of H. R. 4004. Am I correct in my association of those two bills?

Mr. CRAFT. You are correct in your association, Mr. McIntire. I am not sure that the Senate committee thought was just as you expressed it. The report by the Senate committee, after it said that it struck that part out of the bill, said simply "The committee has other legislation on the same subject pending before it, and believes that further study must be made of these proposals."

Mr. McINTIRE. I see. But in H. R. 4004, the provision on line six will eliminate some of the costly problems and other problems

associated with administering some of these narrow strips that we now have in the national forests.

Mr. CRAFT. That is correct.

Mr. McINTIRE. Now, coming to H. R. 426, which refers to the establishment of the townsites, I would like to get your thought as to how broad that legislation is in relation to the establishment of new townsites. I note that an area is not to exceed 640 acres, which is not a very large block of land. Is it your thought that the word "townsite" here refers to existing communities? This provision of the bill in H. R. 426 would provide for sale of needed land adjacent to villages and communities already established to meet their problems of expanding the communities? Would there be new townsites originated under this legislation which would not exist today?

Mr. CRAFT. Well, it would cover both situations, Mr. McIntire. There are really three situations, as I see it, which the townsite bill would cover. One would be where you had a small town, an old-established town, a very small little community, like a sawmill town, and the national forest boundary is right down close to the town, maybe a mile from the center of town, but the town is expanding. It is still a very small town, but you could set aside 640 acres if the town government requested that. It would take care of that situation. The second situation is—maybe it is almost the same—where you have a small tract of private land completely surrounded by national forests, and originally maybe it was a homestead and there has been a little settlement developed there, and there is no room for it to expand except onto the national forest.

The third situation is the new townsite. They are new in the sense that there is no private land there. We have quite a number of small communities in the national forests that have grown up all under permit from the Government, all on Federal land, particularly communities associated with power developments. For instance, all up and down the Sierras, in California, where we have these sometimes small and sometimes large—fairly large—power developments up all these rivers, usually at the base of the dam, there is a small community of maybe a hundred or maybe a couple of hundred people, their stores, schools, a bank, and a few homes, and the whole thing is on Government permit. There is no way to get that land into private ownership at the present time. This townsite bill would provide a way whereby 640 acres—and that is ample for that type of situation—could be set up and could be divided up into lots where the homes now are, and where the sale could be made to the occupants who have built the improvements on the land. That is a very common situation in a number of the Western States. This townsite bill would allow us to correct that.

Mr. McINTIRE. There is just one further point. In connection with the communities which you have mentioned which have grown up around some facility like a power site, would H. R. 426 permit lands being conveyed to the company so that it becomes a company town rather than one of individual private ownership? What is your thought as to the intent in that regard?

Mr. CRAFT. Well, I know what the intent is. My understanding of the language is that the area would be divided up into these individual lots, and the Department of Agriculture would sell these lots to individuals. They would not sell them in a block to 1 person or 1

company. It would be individual sales to the occupants of these areas.

Mr. McINTIRE. What is the responsibility of the Federal Government in relation to the highways which lead into these areas if they become privately owned instead of being under lease? What change of responsibility, if any, rests in providing the highway system that leads into these communities that are inside of the national forests in which the highways now are somewhat in the jurisdiction of the National Forest Service?

Mr. CRAFT. Well, we have some highways in the national forests that are under the county system. There are some that are forest-development roads which the Forest Service maintains; and the through highways maintained under the Federal-State system. So far as I know, although I would like an opportunity to correct my statement on this if I am in error, I do not believe that these town-sites would have any effect on the highway setup.

Mr. LAIRD. In Mr. Engle's bill and Mr. Hope's bill there is reference made to appraised value. I wondered if we could get a definition of that in the record here. Where is that defined?

Mr. CRAFT. Well it is not defined anywhere specifically in the legislation. The appraisal would be made by an employee of the Department of Agriculture or the Forest Service. We would attempt to appraise it at the current market value. That is about as specific an answer as I can give you.

Mr. LAIRD. Current market value for timberlands or for residential property or for what purpose?

Mr. CRAFT. For the purpose for which it is to be sold.

Mr. LAIRD. For the purpose for which it is being sold?

Mr. CRAFT. Yes.

Mr. GRANT. We are going to have to take stock here because the House is meeting at 11 o'clock. We have several more witnesses and Congressman Brooks who has been waiting for some time. Congressman Coon is coming in.

Mr. HAGEN. Mr. Craft in my area up in Tule River Canyon there is a camp, Camp Doyle, which I believe is owned by the power company. They have sold cabin sites to a great many people making a desirable summer community. As I understand under either the Engle bill or this bill but most probably under the Engle bill there would be adjacent areas offered for sale to the people desiring to expand that community; is that correct?

Mr. CRAFT. There could be; that is right.

Mr. HAGEN. Also, I have another situation in my mind, in back of Fresno, by Huntington Lake, which you are probably acquainted with, I believe that is all Government property. However, there was an effort made a few years ago to get some more liquor licenses in there. The Forest Service having that under their jurisdiction refused to permit it. Under either of these proposals, would that area be offered for private sale?

Mr. CRAFT. Well, I cannot answer you specifically. I would say this, though, that the Department's report on S. 1079, comparable to the urban area bill, we said specifically that we did not feel that areas that are used only for summer-home purposes would qualify as urban.

Mr. HAGEN. I see.

Mr. CRAFT. I believe that Huntington Lake area is almost exclusively a summer area.

Mr. HAGEN. The point I was trying to make there, for example, is that one of the aspects of desirability for a great many people who go up there is the fact that it is within the Forest Service domain, and there are not many saloons on the street and so forth.

Mr. CRAFT. On the townsite bill, you will recall, we do not set up the townsites and offer the lots for sale unless there has been application from a local governmental unit, such as a county or municipality—if there is a municipality—which would have to satisfy the Secretary of Agriculture that the community would be properly established and run, and municipal services provided. So there is a way of protection there, too.

Mr. HAGEN. That is all I have.

Mr. GRANT. Let me ask you another question, please. We do not seem to have a report on H. R. 763. Could you give us an opinion of that?

Mr. CRAFT. We recommend its enactment, yes.

Mr. GRANT. Unless there are some other questions, that will be all, Mr. Craft. We will excuse you with our thanks.

Mr. Brooks. We will be glad to hear from you at this time.

STATEMENT OF HON. JACK B. BROOKS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. BROOKS. I am very pleased with this opportunity to testify. I would like to suggest a rough idea on this legislation introduced by Mr. Hope and previously considered by the Senate. I also would like to present at this time for the consideration of the committee an idea of what the national forests might well consist of as, for example, in my district. The isolated parcels in the national forests are rather extensive, and the green part on the average highway map that you and I may be familiar with does not mean that the United States National Forest Service owns all of that property.

I have some very serious questions about this proposed legislation. I think that the national forest department itself, is, of course, and would be, very interested in protecting our national forests, for the record. But I think this particular legislation is undoubtedly the first step in the disposition by them or other bodies of the national forests. I think it is undesirable legislation. I think that basically there may be some reason to think that there are isolated parcels of land which might well be divested, but I think that broad legislation of this type is just an open invitation for the national forests to be sold under many and various guises.

I hate to disagree with the distinguished minority leader of this particular committee, Mr. Hope, whom I have a high regard for, but in this particular matter I felt obligated to come before your subcommittee, Mr. Grant, and testify.

Last year, you will recall, we had a rather serious problem on the House floor about the exchange, some possibility of exchanging private lands for national forest lands. The House defeated that legislation. It did not go to the Senate. I think that this goes one step further. This is not the proposal to exchange Government lands for private lands. But this is an offer and a method by which the National

Forest Service can appraise land and sell virtually any land that they now own.

If you will look at that national forest map, which may not be typical of all the national forests, but is typical of those in Texas, you will see there are many isolated parcels of land. Under this original legislation as drawn, they would have every right to go in and sell virtually any part of that national forest, as you can see from the map. That may be true in the East. I think they are a little more solidly blocked up on the east coast.

On the west coast, I think they are fairly open. I just wanted to submit those proposals to you. I think it is very dangerous legislation. If you will notice, I roughed up some ideas, just suggestions, for an act. I did not introduce this, but it is something I worked on pretty hard myself. I gave you a copy of it, Mr. Chairman.

I provided in this type of an act as suggestions for your committee, sir, that we do not say that we sell these lands at the appraised value. I thought Mr. Laird had an excellent interrogation on what the appraised value is. The appraised value is something that a forest man goes out and appraises, and normally their capability is appraising timberlands or grazing lands, which they have jurisdiction over. I think any appraising of United States property should certainly be made at the full and current market value at its highest and best use. In other words, I think it is criminal and a failure of us to do our duty when we allow any governmental agency to sell property at just what they say is the appraised value.

They may appraise it as timberland as was pointed out, or they may appraise it as grazing land, when, in fact, this land may be ideal for a subdivision purpose, it may be for lake homes, it may be the highest type of residential or commercial or industrial property. It may be next to railroad sidings, it may be next to main highways, it may be highway frontage.

When you sell that kind of land as straight timberland, you are not protecting the United States interests, and you are not getting the most money for the people out of the land you are supposed to sell. I think we certainly ought to put in any legislation authorizing any Department, whether it is Republican or Democratic or what have you, or bipartisan, a requirement that they sell this land at the full and current market value for the highest and best use. I think we should not allow them to sell parcels exceeding 100 acres in a single tract. I think we should require them, as this paragraph outlines, to sell land which is located outside of the boundaries of the national forests, and I say the existing boundaries and put a date on there, because these gentlemen can change the boundaries of the national forests by administrative order tomorrow morning, and have the national forests as a little circle, and all the rest would be without the existing forest boundaries. I think we should put a date on this.

I do not say they will do any of these things, but I say I know they will not if we know they cannot. I think it ought to be surrounded by private or State-owned lands and not just contiguous to them. If you have a little strip that sticks out, you may have a very workable piece of property that could be administered as forest land without much difficulty, and there may be just one little tip that touches on private land.

About the middle of the paragraph we are talking about State-owned lands which, if the Secretary of Agriculture determines are more suited and needed for private residential or other private uses, he can sell under the second category of this bill. I think they should be sold only at the current full market value. I think the House itself would certainly feel that we should protect the public interest to that extent, and I feel sure you and your subcommittee would want to. I put at the bottom of mine a proviso that I think would be very helpful, that if we are going to divest the national forests of some of their property by one method or another, I think surely that the proceeds from that divestment that would inure to the Forest Service should be used and expended by the Secretary of Agriculture for the reforestation of some of our existing national forest lands which we now have, for the improvement of those timberlands, for the purchase of lands under the act of March 1, 1911. In other words, if they in good faith want to improve the national forest holdings, when they divest themselves of a tract, I think they should take that money and put it back into the national lands, either to buy an isolated spot in the center, to reforest the forests, or to otherwise maintain the national forests.

MR. GRANT. Mr. Brooks, to be frank with you, this thing looks like a thousand parts to me. Do we have any additional forests that are established without so many separate parcels? Do you know why this national forest is so divided with so many different small parcels?

MR. BROOKS. That particular national forest on that map there?

MR. GRANT. Yes, sir.

MR. BROOKS. Yes, sir. I think Mr. Craft is here and might verify this. In the 1930's, when most of that land had been clearcut by the big timber companies in my district, when they had leveled virgin pine forests, they did not even leave seed trees, when they had done that, and when the land was worth nothing to them, because these lands in the early 1930's, were pretty much holding the world together, those companies went to the Federal Government and offered that land for sale and were very interested in them buying it and purchasing it. So the Government bought the holdings of the various timber companies, which were not, of course, solidly blocked up. That is the reason that occurred. Those forest lands now look a lot different from that. They have been reforested and are green and they are growing a lot of timber and selling it.

I understand you do not have authority to operate after the House is in session.

MR. GRANT. Well, we have authority, but we will have to stop pretty quickly.

MR. BROOKS. I just wanted to submit this idea. I was not familiar with Mr. Engle's bill prior to my getting here, but it apparently has no provision for sale to a public body, a school, a county, or any political subdivision. It seems obvious that this bill might well include my suggestions.

Maybe it ought to include a limit on the amount of these town lots that might be sold to 1 individual or to 1 corporation, to prevent it being a private profit-making program for some real-estate operators. Also, in this analysis by the Forest Department of this bill, their report to the Senate I thought was very interesting. It points out in here

in reply to one of Mr. McIntire's questions, I believe, or Mr. Matthews', about would it be used for summer home purposes, the report says, if you read it carefully, that those gentlemen over there said, "We would rather use it for smaller towns and believe that areas which are used only for summer home purposes would not qualify as urban within the meaning of Senate bill 1079, only." You have very seldom seen a lakefront development or hunting lodge development where it is used only for such purposes. Invariably they have some nester that stays up there year round, and who lives there, and occasionally you will get a retired man who stays there the year round. They could make almost any hunting or fishing area or encampment qualify because of the inclusion of this delightful word "only." Then they have some other dissertations in here that are not binding in the bill. That is just their interpretation of how they say they are going to interpret the language in this bill as now. They might change their interpretation tomorrow morning, bright and early. They might change it tonight. They might change it at 12 o'clock, noon.

I think this bill itself should lay out the restrictions, the obligations, and the manner in which they are going to sell the land, if they are going to sell it. It ought to be laid out in the bill. We ought not to leave it up to McKay, or Morse, or some Democratic appointee if we are fortunate to be elected and appoint some. I do not think it ought to be left up to an official, what they are going to do with the national forests. I think your committee is capable of handling this.

Mr. Chairman, I am grateful for the opportunity to appear. If there are any questions that I might help on, I will be very happy to assist.

Mr. GRANT. Thank you, Mr. Brooks.

We would like to finish this. We will declare a 30-minute recess and come back to finish it. We will be right back as soon as we can answer rollcall.

(Brief recess.)

Mr. GRANT. The committee will come to order.

Next we have our colleague, Mr. Coon, of Oregon.

STATEMENT OF HON. SAM COON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Mr. GRANT. We will be glad to hear any statement from you which you care to make, Mr. Coon, with regard to the bills.

Mr. COON. Thank you, Mr. Chairman, and members of the committee. I appreciate the opportunity of appearing before you today in support of H. R. 4004.

My name is Sam Coon. I am the Congressman from the Second District in Oregon.

Although my appointment as a member of the National Forest Reservation Commission is of recent date, there have been a variety of proposals for the acquisition of land for addition to the national forests or for the exchange of land which have required my consideration. In my study of these proposed acquisitions and related Federal statutes, it has become evident that the disposal by direct sale of national forest lands is either impossible in the case of the Weeks law lands or is a laborious process under existing law in the case of public domain lands. It is well known to the gentlemen of this committee

that during the depression of the 1930's, thousands of tracts of land were purchased by the Federal Government to form new national forests or to be added to existing national forests. This program was based upon considerations involving land rehabilitation and the furnishing of employment without too much regard for future administrative problems.

The result of this program was a broad extension of Government land ownership, the acquisition of many scattered tracts and the resulting development of higher cost land administration.

I have discovered in my work as a member of the National Forest Reservation Commission that national forest tracts only 40, 80 or 160 acres in size are oftentimes found several miles removed from the main body of the national forest. Sometimes these small tracts are adjacent to, or intermingled with, well-managed private tree farms. Often they serve as a valuable addition to a small farm operation in need of some woodland. Sometimes they are needed for recreational developments or for commercial hunting or fishing lodges, for small business establishments, for residential purposes, or for a variety of similar uses in which private citizens may be interested.

At the present time, the Forest Service cannot sell such lands unless they are valuable for agriculture. They cannot be declared surplus to the agency's needs and disposed of under the regulations of General Services Administration. If the tract is public-domained land included in the national forest withdrawal, it would be necessary for the Forest Service to get the tract eliminated from national forest status by an Executive order. Following this, it would revert to the jurisdiction of the Department of the Interior for classification and disposal under the public land laws. This process is long and tedious.

A simple solution to the foregoing problem is the enactment of H. R. 4004, to permit isolated tracts and narrow projected strips and lands adjacent to urban areas not needed for national forest purposes to be sold directly to the persons interested in acquiring them and in need of them.

It is my understanding that the Forest Service in the Department of Agriculture has been conducting a careful study of national forest boundaries to determine the need of eliminating certain lands and consolidating others. Such study has been needed for a long while, as I have viewed the situation in my State of Oregon. There, as elsewhere the cost of administering scattered tracts of land is high relative to the benefits received. This is particularly true under Government administration because the use of such Government lands is more diversified and more subject to a variety of demands by the public.

National forest boundaries should be redrawn where necessary to eliminate these scattered tracts. It makes good sense, then, for the Forest Service to complete its boundary study as rapidly as possible in order to develop a program of consolidation and more economical administration. If this process is going to succeed, legislation such as proposed in H. R. 4004 will be absolutely essential.

I have no apprehension that the Secretary of Agriculture will not handle the problem with the best public interest constantly in mind. He has shown a desire to find ways in which to economize and yet provide for the most efficient management of the national forests. Through H. R. 4004, the Secretary will be permitted to sell isolated tracts and narrow projecting strips where and when in his best judg-

ment it will benefit the national forests and reduce the cost of administration. Moreover, where such isolated parcels or narrow projecting strips can be added to existing farm ownership or private forest land management units, the economy of the area and the development of private forestry enterprise will be substantially benefited.

I respectfully urge that this bill be reported by this committee.

Mr. GRANT. The committee counsel, Mr. Heimbürger, would like to ask you a question.

Mr. HEIMBURGER. Mr. Coon, I was just wondering if, having heard the testimony of the gentleman from Texas, you feel that the policies and safeguards in the public interest which he referred to could be written into this proposed law in detail without seriously handicapping the type of operation which you believe the Forest Service should carry on.

Mr. COON. Well, I do not know what particular safeguards you have reference to, but most of which he mentioned are already in the law. So they are already safeguarded.

Mr. HEIMBURGER. I am interested particularly because you are a member of the National Forest Reservation Commission. Would you believe that where tracts of a certain size or upward were involved in this sale of isolated parcels it might be beneficial to have the sale referred to the National Forest Reservation Commission for approval, the same as is now done with a great many transactions?

Mr. COON. Well, I would think that would probably be a proper safeguard.

Mr. HEIMBURGER. Would you think it would be practical and serve any useful purpose to have in the legislation a requirement that the money received from sale of the isolated parcels should be put into a special fund and used or at least available for the purchase of existing privately owned lands within the same national forest? Would there be any particular advantage to that?

Mr. COON. I would have to study that a little more, but I do not believe that a legislative committee usually is the one that should take care of the money. That should go to the Appropriations Committee. I have always felt that any department of Government should come in and justify what they need each year as they need it before the Appropriations Committee. This would be earmarking money a little bit contrary to the usual custom of our legislative process, I believe.

Mr. HEIMBURGER. It would, except that it would indicate a legislative policy, I think, that the process of selling off these small isolated parcels was not to be an indirect means of disposing of our national forests or any particular national forest—an indication that if you sold a thousand acres off of this forest, you should use the money to buy a thousand acres or something of comparable value that was already within the boundaries of a forest.

Mr. COON. Well, the definitions of this law permit only isolated tracts or narrow projecting strips. So there is no change, I do not think, to have, as he suggested, a sale of our national forests. There could not be, because it is defined in the bill, what could be sold, and I think there is a very clear definition of isolated tracts in the law now. So I cannot see any chance of this being an opening wedge to sell our national forests. It just strikes me as good management when you buy over a period of a few years 16 or 18 million acres, with

some of them being scattered tracts, there is likelihood that some of these might now be better back in private hands. They were bought in depression days when it was the policy of the Government to acquire more land for the reasons I stated. But in the purchase of 18 million acres, which I believe is approximately the amount that the Federal Government bought during about a 10-year period there, it just sounds like it is almost a cinch that some of these private tracts now might be better off in private hands.

Mr. HEIMBURGER. Your studied opinion, then, is that the bill as presented does not need any further refinement?

Mr. COON. I do not really see that it does, because the questions of safeguards, which Mr. Brooks mentioned, I think, are pretty well defined in the bill or in existing law now. So I do not think there is a chance to do some of the things that he referred to mostly as a remote possibility. I cannot see that there is any possibility of that happening.

Mr. MATTHEWS. Mr. Chairman, I have enjoyed my colleague's presentation. I am just a freshman member of the Committee on Agriculture. I am getting a lot of interesting information about our national forests. For example, I just never could conceive of a national forest on the basis such as shown on this map. In my section of the country, it looks like the land is pretty well contiguous, it is all one compact mass, and has great opportunities for conservation. We are all interested in that, and I particularly am interested in conservation, fish, and wildlife.

I just wondered, Mr. Coon, if, with your information of forests, you could tell me if we have many other national forests that have somewhat of a boundary line like this. If you look over this map, you will see many tiny boundary plots. This is just one of the most scattered types of things I have seen. I frankly do not know many of our forests, except in the State of Florida, in my own section of the country. Are there many that have this type of boundary line, would you say?

Mr. COON. I think there are some that are probably very similar to that one. However, I believe the big percentage are composed of more solid blocks of ground.

Mr. MATTHEWS. Would this be the type of forest in the western part of the country?

Mr. COON. I do not think it would, Mr. Matthews. In our areas out there, the forests are usually in the mountains. It is not solid ownership, by any means, but it is much more solid than the one you display there.

Mr. MATTHEWS. The gentleman from Texas explained this. He said the Government bought up land during the depression. I am somewhat concerned to think that with that buying of land they managed to fit it to the pattern of the national forest without, it seems like, any contiguous land areas there to the extent that they should be. Naturally, of course, it costs a lot more for administration.

The second question I have in mind, Mr. Coon, is one that you have already answered. I am afraid I am not going to get much help from you, but in my section of the country, the thing we need desperately in our national forests is more recreational possibilities. The large landowners have gone around in the area around the forests and they bought up huge amounts of acreage and put these "No hunting"

signs, "No fishing" signs, "Posted; keep out." I am not going to say that that has anything to do with forest fires, but quite frequently, I imagine, certain citizens get a little bit provoked at that lack of cooperation. I am not trying to fix the blame, however. I introduced a bill to try to give us more money for recreational facilities in our national forests, to help in the fishing and hunting.

I find the Department of Agriculture, of course, is opposed to any idea where you set down a certain amount that has to go for any particular program or any particular purpose. My idea was to set a certain amount of the proceeds that we get from our national forests, not exceeding say, about \$5 million a year, to go for recreational purposes—fishing, hunting, and things like that. I have not had much encouragement, and I am afraid you cannot give me much because of your idea that we should go before the Appropriations Committee to fight for those specific appropriations.

The problem is that it seems like those gentlemen on the Appropriations Committee do not seem to sense this need as I do, and which I think many of us do. I was intrigued with Congressman Brooks' thought that we might specify certain uses for the money we get from any sale of these lands. But as I understand, you feel that would not be wise.

Mr. COON. I think I would be inclined to think it should go through the regular legislative channels, the money revert to the Treasury, and then be appropriated upon proper justification. I might say in regard to the gentleman's desire to have more money for recreation in the forests, that I heartily agree with him. I appeared before the Appropriations Committee in support of more money for recreational uses by the Forest Service. I think many people are getting a lot of benefits from them, and it should be encouraged. To do so, we certainly should get more money. I am with you on the subject of getting more money, but I feel it is a matter that should be justified before the Appropriations Committee and handled that way.

Mr. MATTHEWS. Thank you very much.

Mr. COON. Thank you for the privilege of appearing.

Mr. GRANT. The next witness is Mr. Matt Triggs, of the National Farm Bureau.

STATEMENT OF MATT TRIGGS, ASSISTANT LEGISLATIVE DIRECTOR, AMERICAN FARM BUREAU FEDERATION, WASHINGTON, D. C.

Mr. TRIGGS. Mr. Chairman, and members of the committee, we do not have a prepared statement, but it will just take a few moments for me to summarize the farm bureau's position with respect to these bills.

The American Farm Bureau Federation favors the disposition of Federal lands which no longer serve an essential Government purpose and which have been classified as land which is suitable for private ownership and development. H. R. 4004 which would authorize the sale of certain lands now administered by the Forest Service, which, because of their location, cannot be efficiently administered, should, in our opinion, be approved.

We also recommend the approval of H. R. 426, the bill that Mr. Engle reviewed, to authorize the disposal of Federal lands for enlarg-

ing or establishing town sites. It is our belief that the enactment of these two bills would aid the private development of the areas involved with benefit to the communities and the economy of the area.

That concludes our testimony, Mr. Chairman.

Mr. GRANT. Thank you very much, Mr. Triggs.

Does any member of the committee have any questions?

If not, thank you very much.

Mr. Poole, of the Wildlife Institute.

STATEMENT OF DANIEL A. POOLE, EDITOR, OUTDOOR NEWS BULLETIN, WILDLIFE MANAGEMENT INSTITUTE

Mr. POOLE. Mr. Chairman, my name is Daniel A. Poole. I am the editor of the Outdoor News Bulletin for the Wildlife Management Institute, one of the oldest national conservation organizations in North America. The institute, as you know, is dedicated to the better management of natural resources in the public interest. The activities of this nonprofit organization have been continuous since 1911.

We appreciate this opportunity to present this brief statement on H. R. 4004 which provides for the sale of certain national forest lands. The institute is vitally interested in the national forest program. It has been a staunch advocate over the years of programs and activities that produce the greatest public benefits from the forests within the bounds of sound management principles.

While we agree that it is desirable for the Secretary of Agriculture to have the necessary administrative discretion and authority to properly manage the national forests, it is believed that this authority should be defined rather clearly, and should contain appropriate safeguards. We do not think that the basic principles of administration should be left entirely to the judgment of policymakers yet unknown. For this reason, we are apprehensive about the many things that could be done under the vague wording of this proposal. As long as this language is not crystal clear in its meaning, it will be subject to interpretation. It is the implementation of these interpretations that might eventually jeopardize the widespread public interest in the national forests.

The institute is unable to determine the full scope of the words, "isolated parcels or narrow projecting strips." National forest boundaries often follow dominant topographic features such as ridges, divides, valleys, or streams and for that reason are irregular and contain many natural projecting strips.

In other instances like the Toiyabe National Forest in Nevada, the Talladega in Alabama, the Sumter in South Carolina, and others, there may be several separate units of a single national forest. Each unit is separated completely from the others by intervening land-ownership. In the absence of a precise definition, we wonder whether these isolated tracts also could be disposed of under this proposal.

There seems to be the further danger that the sale of certain narrow strips or projecting pieces could be so arranged that a second and a third such remaining tract then would be eligible for sale. It also is our understanding that forest purchase units would come under the purview of this proposal.

Inasmuch as the Federal Government is proceeding slowly in its efforts to purchase small parcels of private lands and nuisance areas within these forest purchase units, the ownership pattern is complex, with the Federal holdings consisting of many isolated and projecting tracts of land.

Another point which might be considered is the provision which would permit the Secretary of Agriculture to sell national forest lands should he find "such lands suitable for private ownership and better adapted to commercial, agricultural, residential, or other private purposes than to national forest purposes." It would seem desirable to specify that such action should be based on the finding that the long-term benefits arising from such ownership must be considered. Nor does it seem unreasonable that decisions may be reached for the disposal of national forest lands if the administrative agency failed to receive adequate appropriations for management.

Mr. Chairman, the institute believes that better wording could be devised for the doing of what obviously should be done in some areas of administrative stress without endangering the gains that have been made in the national forest program. While we would be reluctant to offer such language, we feel that others who have more detailed knowledge of the program may present some good suggestions.

Thanks for your courtesy.

Mr. GRANT. Thank you very much. I was just going to ask you for a suggestion on this, but your ending up the way you did rather threw me off balance. I wonder if you would have any suggestions as to writing out a legal or more detailed determination of the words "isolated parcels" or "narrow and projected strips."

Mr. POOLE. We felt, Mr. Chairman, as I stated at the end of the statement, that others who have a more detailed knowledge of the program would be able to. I notice that earlier this morning Mr. Brooks submitted a statement to you. He is a strong advocate of the national forest program. He felt his small proposal would provide the safeguards that he sought. I believe Mr. Metcalf, early in the month, wrote a letter to Mr. Cooley in which he raised certain specific points about the safeguards.

Mr. GRANT. We will get a copy of that letter. I do not seem to have it before me here.

Mr. McINTIRE. Mr. Chairman, I was wondering if Mr. Poole had studied the suggested changes which Congressman Brooks proposed, and whether or not his organization is satisfied what those changes would be an improvement on the bill.

Mr. POOLE. I have not had an opportunity to look at Mr. Brooks' proposals.

Mr. GRANT. I believe your statement sets out what you desire in general terms. We certainly appreciate hearing from you. The committee will take your statement into consideration. Thank you very much.

Mr. Michael Hudoba will appear next. He is the Washington editor of Sports Afield.

STATEMENT OF MICHAEL HUDOBA, WASHINGTON EDITOR, SPORTS AFIELD

Mr. HUDOBA. My name is Michael Hudoba. I am Washington editor of Sports Afield magazine.

I appreciate the courtesy of the chairman of the committee giving me an opportunity to make a very brief oral statement.

We are extremely concerned and apprehensive, and worried, about the language of H. R. 4004, and S. 1079. We are not worried for any lack of confidence in past, present or future administrations, but are concerned over the language of the bill, as we understand it, isolated parcels and narrow projected strips. For those who live in a crowded city area, a narrow projected strip is large if it is two inches, if such land is valued at \$1,000 a foot. To some of this beautiful wide-open country, a narrow strip, projecting strip, of one or two miles is insignificant. But it is just that the position of those two concepts presented to a court in dispute would present a very trying problem of definition.

The possibility also because of the irregularity of forest boundaries, and the fact that the exterior boundaries of forests encompass 221 million acres of which the Federal Government only owns 180 million plus, means that at least one-fourth of the forest area comes within the terms of sale of this particular type of legislation. Then the further clause which gives a Secretary of Agriculture the authority to determine that land would be suitable for other purposes than forest purposes, provides an extensive administrative discretion of such latitude that if we were in the position of having to make such decision we would hesitate to accept such authority.

The public interest in the national forests is extremely extensive, not only for the 35 million plus visitors for recreational uses, but the very real values of watershed protection, which encompass community interests, which encompass the production of water for large, expensive and useful reclamation reservoirs, the multiple purpose uses that involve the grazing, the minerals, and timber.

All of these factors faced up against the indefinite vagueness and the ambiguity of this language is one that gives us a very great concern. Therefore, we wish to register objection to the terminology as expressed in this proposed legislation.

Mr. GRANT. Have you finished your statement?

Mr. HUDOBA. Yes, sir.

Mr. GRANT. Have you read the rough sketch here of a suggested amendment or act by Mr. Brooks?

Mr. HUDOBA. I have read it briefly twice, Mr. Chairman. It would appear that the suggestions contained on the typewritten page, the page typed in blue here, have good safeguards, but in the absence of having a chance to study them in detail, I could not make any further comment.

Mr. GRANT. Yes, we appreciate that.

Mr. HUDOBA. But in these national forest areas, in the event there was any change of fundamental policy, and I think that fundamental policy is involved in this legislation, either we are going to have more or a perfection of national forest areas, or we are going to reduce national forest areas and gradually eliminate them. The

crossroads, I think, is in the determination of what the fate of this bill will be.

Mr. GRANT. Mr. McIntire?

Mr. McINTIRE. Mr. Chairman, I have a question.

Mr. HUDOBA, I believe I can understand the scope of your concern, which seems to be that the words can be interpreted rather broadly. Do you, representing the folks who are interested in conservation, feel that there is a need surrounding these communities which may be bounded somewhat by national forests, that the law provide some vehicle by which that pressure of an expanding community be met by such parcels of land as are adjacent to the privately owned property in the community being available for private ownership? What is the position of your organization in that type of a situation?

Mr. HUDOBA. We recognize, Congressman McIntire, that there are problems not only relevant to the proposal H. R. 4004, with difficulty of administration on isolated parcels, but there is also a problem on the encompassment of a national forest area around an expanding community town development.

We feel that that is a real problem. Again, in H. R. 426, the generality of the language as we see it, and I have only read the bill this morning upon appearance here, would create a potential real estate subdeveloper's dream by offering and setting up 640-acre or 1-section tracts for subdivision.

In the event that it was a bona fide town, community, with population that could not expand except for movement of its boundaries further to include the surrounding contiguous national forest area, there is a very practical need.

Mr. McINTIRE. Are those not the needs that we are referring to on this page of the legislation, those very real needs of a community to expand, and in order to expand they must have access to the national forest lands? Are those not the needs we are getting at?

Mr. HUDOBA. Yes. We do not quarrel with that need. We do not question the fact that that need should be considered for solution and a solution made. But the concern is that in the formula for developing such a solution, there is not opened up again an opportunity for extensive abuses under generalities.

Mr. McINTIRE. Do you have any suggestions as to the change of wording in either of these bills which would bring it within the boundaries that you feel it should carry?

Mr. HUDOBA. Having just seen this bill at the moment, and not being an attorney, I would hesitate to attempt to offer perfecting language. But my concern would be that the limitation would specifically relate, in its formula, to established population, an indication concretely shown that the opportunity for expansion of a population was limited by the national forest area. Then the provisions for the use of forest lands for a townsite extension would be practical.

Mr. McINTIRE. Now in relation to H. R. 4004, in which the matter of isolated parcels or narrow and projecting strips are concerned, do you have any language that you could suggest to the subcommittee that could be put into the bill to define that in the manner which it would provide the protection about which you are expressly concerned?

Mr. HUDOBA. Congressman McIntire, I do not have language to suggest, in the absence of a clear-cut definition of an isolated parcel,

or in the absence of a clear-cut definition of a narrow projecting strip. The amendment I have seen submitted by Congressman Brooks would seem to make a good approach toward meeting the problem, such as that which is contained in the two forests within his district, and which are comparable to the forests in at least a number of other areas.

Mr. McINTIRE. Particularly as it relates to limiting it to a tract not in excess of 100 acres in a single parcel? Is that a feature which you think is constructive?

Mr. HUDOBA. We are faced with the same dilemma as to a definite acreage limitation as compared to an indefinite definition. The situation could easily be it might be 101 acres, or it might be 10,001 acres.

Mr. McINTIRE. So it really resolves itself, does it not, that there is a problem here in relation to pieces that are off at one side, or projecting or whatever may be the characteristic of it, that out of that characteristic does develop problems of administration, expensive probably, out of proportion to the value of the land. Is that a fair statement?

Mr. HUDOBA. Yes, Congressman McIntire.

Mr. McINTIRE. And also the fact that, in relation to expanding communities that find their boundaries circumscribed by the national forests, we do have a problem in that area, too. Then the matter resolves itself as to how you are going to reach a solution of those problems and still not extend authority beyond the appropriate boundaries to protect the various interests——

Mr. HUDOBA. You have stated the problem as I see it in part.

Mr. McINTIRE (continuing). Being rather impossible to spell it out in too detailed finality and still leave it administratively flexible enough to do much with it.

Mr. HUDOBA. We feel that the Forest Service, the Department of Agriculture, does have some authority which could be used, probably more extensively than it has been, and that is the authority for exchanges in order to perfect boundaries. I have not seen any reports that would indicate that the program of exchanges for development and perfection has been utilized to its maximum, which then brings us up to the point of needing a bill of this type.

Mr. McINTIRE. I might refer to a point there.

Do you think that provision of law relative to exchanges is adequate in the matter of additional land for these communities, and also is a practical means of providing for the problem of isolated pieces?

Mr. HUDOBA. I think there are two separate problems there. The community expansion has been accelerated. The people of this country, including those who are interested in recreation in the out of doors, do find the type of beauty and the type of recreational outlet of national forests and park areas attractive. It is only natural that they should seek in locating their homes to find that type of an environment. Yet, in the expansion of a town, the individual making residence has nothing to offer to the Forest Service in exchange for lands which the town will need as a part of its expansion. On the use of land for private timber, for private uses, as indicated in H. R. 4004, there is a going operation, and it is an expansion of operation, but there is something that is potentially available in exchange in return.

Mr. McINTIRE. Thank you.

Mr. MATTHEWS. Mr. Chairman, I do not want to say very much.

Mr. McIntire has asked the questions pretty generally that I had in mind. I do want to emphasize this one point, and the chairman has emphasized it along with Congressman McIntire.

I personally would be grateful if you had time, if you would make any specific recommendations in the language of the bill so that it might have these reservation that we have talked about. I am not, naturally, too insistent if you do not have the time. But I think all of us are in agreement with the philosophy that you have. We are very anxious to preserve our national forests. I am convinced that we have this problem of expanding population, and this problem of efficient administration of these forests. I am convinced in my own mind that some little changes will certainly perfect the administration and will do more for us from the standpoint of conservation and preservation of our wildlife than under the present situation.

My statement is just a plea for any specific language that you could give us to help to do those things. I have enjoyed your testimony very much.

Mr. HUDOBA. Thank you, Congressman Matthews.

Mr. GRANT. Mr. Hagen?

Mr. HAGEN. Referring to Mr. Engle's bill, he, of course, in his observation as to the necessity for his bill, confined himself to cases of existing towns, like Placerville, and other towns in the district, where they have an existing city, bursting at the seams, so to speak.

Referring to the language of his bill, he refers to—

upon application and a satisfactory showing of a need therefor by any county, city, or other governmental subdivision—

That language, of course, is quite broad. A county has no immediate problem with expansion as a county. It might supervise the needs of a city. There are many types of governmental subdivisions. I know in California, we have irrigation districts, and they are quasi-governmental agencies. They might get under this language. There are numerous types of governmental or quasi-governmental agencies.

I was wondering if this bill of Mr. Engle's would be satisfactory if line 5 read something like this: "by the Secretary of Agriculture as an expanding townsite" and if the reference to the agencies on line 9 was confined to an incorporated city. Would that cure it?

That would just limit it to these cases where you already have an existing city establishment which needs an expanded townsite.

Mr. HUDOBA. I think those are very constructive, objective approaches. If the committee will bear with me on a personal experience and one of the reasons that I have become a critic—it is this: I moved my farming operation from one county into another because the county, the officials of the county, was a very tight, self-contained unit.

With this bill, if they had a national forest in that county, it would be a heyday for them.

Mr. HAGEN. Under this bill as it now reads, with the cooperation, of course, of the Secretary, they could be designating townsites all over the country.

Mr. HUDOBA. That is right.

Mr. HAGEN. But if you confined it to an expansion of the townsite, if you confined the activity to the city itself, which is bulging at the seams, you would have a more limited bill. I do not know whether it would fit Mr. Engle's purposes, but it would fill all the purposes which he testified to.

Mr. HUDOBA. It would certainly make a long step, an objective approach, to fitting this very definite need where there is a town development, a population expansion, that is limited by the circumscription of Federal land ownership.

Mr. HAGEN. That would be an improvement, in your opinion, and probably make the bill acceptable?

Mr. HUDOBA. It would do a great deal in that direction.

Mr. GRANT. If there are no further questions, thank you very much for your statement.

Mr. HUDOBA. Thank you, Mr. Chairman.

Mr. GRANT. Is there anyone else in the room who desires to testify on either of these bills, either for or against the bills?

If not, I will thank you gentlemen very much, and we will recess the hearing.

(Whereupon, at 12:34 p. m., the hearing was concluded.)

(The following letter was submitted to the subcommittee:)

CHAMBER OF COMMERCE OF THE UNITED STATES,
Washington 6, D. C., June 6, 1955.

Hon. GEORGE M. GRANT,

*Chairman, Forestry Subcommittee, House Agriculture Committee,
House Office Building, Washington 25, D. C.*

DEAR MR. GRANT: The Chamber of Commerce of the United States strongly urges your subcommittee to approve H. R. 4004, to provide for the sale of certain lands in the national forests.

H. R. 4004 would authorize the Secretary of Agriculture to sell isolated parcels or narrow projecting strips of national forest lands at not less than appraised value when he finds such land suitable for private ownership and better adapted to private purposes than to national forest purposes.

We believe that enactment of H. R. 4004 would make the administration of national forest lands more efficient. At the present time the boundaries of national forests are irregular and tracts of privately owned lands are included within these forests. This bill would authorize the Secretary to sell isolated parcels and narrow projecting strips, thus making the national forest lands more compact and easier to administer.

We request that this letter be made a part of the record of your committee hearings.

Cordially yours,

CLARENCE R. MILES.

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July 11, 1955

The Forestry Subcommittee of the Agriculture Committee voted to report favorably to the Agriculture Committee the following bills: H. R. 374, adjusting ownership of certain lands within Stanislaus National Forest; H. R. 426, to provide for the establishment of townsites, from national forests and lands administered under the Bankhead-Jones Farm Tenant Act; and S. 72, to provide that certain lands acquired by the United States shall be administered by the Secretary of Agriculture as national forest lands (p. D683).

10. FLOOD CONTROL; SOIL CONSERVATION. The Public Works Committee reported with amendment H. R. 6066, authorizing modification of the San Joaquin River flood control project (H. Rept. 1094) (p. 8823).

The Conservation and Credit Subcommittee of the Agriculture Committee agreed to report to the full committee a clean bill, superseding the amended version of H. R. 6062, permitting payments under the Soil Conservation and Domestic Allotment Act to farmers for certain water conservation practices (p. D683).

11. FEED GRAIN. The Conservation and Credit Subcommittee of the Agriculture Committee referred to the full committee for further open hearings H. J. Res. 313, authorizing the Commodity Credit Corporation until March 1, 1956, to sell at the point of storage any feed grain owned by the Corporation at 10% below the current support price for the commodity (p. D683).

12. MARKETING. The Domestic Marketing Subcommittee of the Agriculture Committee voted, July 8, to report to the full committee H. R. 5337, relating to changing certain practices in the marketing of perishable agricultural commodities (p. D683).

13. FOREST RESEARCH. The Forestry Subcommittee of the Agriculture Committee voted July 8, to report to the full committee H. R. 1855, to amend the act to facilitate and simplify the work of the Forest Service, relating to forest research (p. D683).

14. INTERGOVERNMENTAL RELATIONS. In its recent report, the Commission on Intergovernmental Relations made the following recommendations regarding agriculture:

"The Commission recommends that existing agricultural grant-in-aid programs be continued with the modifications suggested below... It is recommended that the various statutes which authorize grants-in-aid to State experiment stations for research be consolidated into a single law. The Commission also favors greater use of State research facilities...and less emphasis upon strictly Federal research facilities... It is recommended that Congress authorize the use of Morrill moneys for agricultural research, as well as resident instruction, when the recipient State so desires... In regard to grants to the States for agricultural extension and research, it is recommended that the legislation put more emphasis, in the apportionment of funds, upon factors of need, including per capita farm income, farm population, and the extent of each State's dependence upon agriculture, and that matching formulas for these two grants be placed upon a sliding scale based upon State fiscal capacity... It is recommended that the Department of Agriculture maintain for the present its program of grants to certain States in behalf of agricultural marketing services on a quasi-contractual basis. But if later developments should justify a considerable expansion, the Department of Agriculture and the Congress should act to place the program on a formal

grant-in-aid basis... It is recommended that agricultural grant-in-aid legislation be amended to ^{requiring} that State legislation and budgetary practice and procedure be followed in the channeling of agricultural grants to State agencies and land-grant institutions."

"It is recommended to the Congress that the present program of soil conservation technical assistance to farmers be continued as presently organized and operated; with the provision, however, that in any State which, in order to improve, expand, and participate more fully in the program, submits a plan of operation satisfactory to the Secretary of Agriculture, and which agrees to appropriate funds sufficient to provide for such expansion and improvement of the program in such State, the program may be placed upon a grant-in-aid basis, with State administration of the program under the supervision of the Soil Conservation Service."

"It is recommended that the Secretary of Agriculture implement as rapidly as possible those provisions of the basic legislation governing agricultural conservation payments that call for State administration of the payments. Under these provisions, Federal payments would be rendered to the States, based upon State plans approved by the Secretary of Agriculture. More basically, however, the Commission recommends that as soon as practicable, legislative action be taken to place agricultural conservation payments on a grant-in-aid basis, with the States assuming a part of the cost."

"It is recommended that legislative and administrative action be undertaken at both the National and State levels to clarify intergovernmental responsibility for agricultural inspection and grading activities; this action should include the use of cross certification between, or joint commissioning of, National and State enforcement authorities. It is further recommended that both levels of government undertake a detailed study of responsibilities and cost sharing in programs for the eradication and control of pests and diseases."

A few copies of this report are available from the Legislative Reporting Staff, for lending and reference purposes. The regular distribution to this Department is being made through the Government Printing Office pursuant to an arrangement with the Commission on Intergovernmental Relations, and that regular supply will not be available from the Legislative Reporting Staff.

- 15..LEGISLATIVE PROGRAM. The "Daily Digest" states that on Tues., July 12, "the House will act on the conference report on H. R. 6766, the public works appropriation bill which includes funds for the AEC, TVA, certain agencies of the Interior Department, and civil functions of the Army; and will also consider H. R. 5168, the Farm Credit Act of 1955." (p. D683.) Pursuant to a unanimous-consent request the consideration of a supplemental appropriation bill was made in order on Thurs., July 14 (p. 8776).

SENATE

16. SURPLUS COMMODITIES. Agreed to the conference report on H. R. 6829, to authorize certain construction at military, naval, and Air Force installations (pp. 8714-5). The bill includes a provision which is described in the Senate report as follows:

"Amends section 407 of Public Law 765, 83d Congress, by increasing from \$25 million to \$100 million the authority to provide housing through use of the proceeds from the sale of surplus agricultural commodities by the Commodity Credit Corporation. The revised section amends the provision with respect to

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued ^{July} June 14, 1955
For actions of ^{July} June 13, 1955
84th-ist, No. 118

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HIGHLIGHTS. Senate agreed to conference report on travel expense allowance bill. Senate committee reported reserve forces bill. Both Houses agreed to conference report on public works appropriation bill. House agreed to Senate amendment on livestock loans bill.

SENATE

1. TRAVEL ALLOWANCE. Agreed to the conference report on H. R. 6295, the travel expense allowance bill, which generally increases maximum subsistence allowances from \$9 to \$12, and maximum mileage allowances from 4 and 6 cents to 7 and 10 cents (pp. 8924-5). This bill will now be sent to the President.
2. RESERVE FORCES. The Armed Services Committee reported with amendment H. R. 7000, to provide for strengthening of the Reserve Forces (S. Rept. 840) (p. 8916).
3. ELECTRIFICATION. Sen. Langer inserted a James Valley (Edgeley, N. Dak.) Electric Cooperative, Inc., resolution favoring the proposed Hells Canyon Dam, and opposing the Hoover Commission recommendations regarding REA (p. 8911).
4. WHEAT; PRICE SUPPORTS. Sen. Langer inserted resolutions of the McKenzie (N.Dak.) County Farmers Union favoring 90 percent of parity for basic commodities and a two-price plan for wheat (pp. 8911-2).
5. WATER RESOURCES. Conferees were appointed on H. R. 3990, to authorize the Interior Department to investigate and report to Congress on the water resources in Alaska (p. 8948). House conferees were appointed July 11.

July 13, 1955

6. BONDING EMPLOYEES. Passed as reported H. R. 4778, to provide for the purchase of bonds to cover officers and employees of the Government (p. 8951). The bill authorizes the heads of departments and agencies of the Government to purchase bonds for officers and employees out of appropriated funds.
7. NOMINATION. Received the nomination of Marion B. Folsom, of New York, to be Secretary of Health, Education, and Welfare (p. 8962).
8. LEGISLATIVE PROGRAM. Sen. Clements announced that the military reserve bill will be considered today and that it is hoped the defense production bill will be considered next Tuesday (p. 8954).

HOUSE

9. APPROPRIATIONS. Both Houses agreed to the conference report on H. R. 6766, the public works appropriation bill, which provides funds for the AEC, the TVA, certain functions of the Interior Department, and civil functions of the Army (pp. 8971-3, 8928-48). The House receded from its disagreement to provisions establishing a GS-17 position for the Budget and Finance Officer in the Interior Department and for the Program Chief in the Corps of Engineers; and receded from its disagreement to the amount of funds for the Lewis and Clark Irrigation District and the Buford-Trenton Irrigation District. This bill is now ready for the President.
Both Houses received a message from the President on his approval of H. R. 6042, the Defense Department appropriation bill, in which he states that he will disregard a provision in the bill prohibiting the Defense Secretary from liquidating functions performed by civilian agencies within the Department which could be done by private industry. The President also announced his dissatisfaction with a provision "virtually" precluding the "services from considering the purchase of foreign made spun silk yarn for cartridge cloth." (H. Doc. 218) (pp. 8953, 8996-7, 9005-6.)
10. ROADS. Agreed to the conference report on S. 1464, authorizing the Secretary of the Interior to acquire certain rights-of-way and timber access roads (p. 8973).
11. LOANS. Agreed to the Senate amendment to H. R. 4915, to extend the period for emergency assistance to farmers and stockmen (p. 9002). This bill will now be sent to the President.
12. COMMODITY EXCHANGES. Both Houses received a USDA draft of proposed legislation to amend the Commodity Exchange Act to require contract market to permit delivery of commodities, under futures contracts, at delivery points and locational price differentials to be determined by the Secretary of Agriculture; referred to the House Agriculture and the Senate Agriculture and Forestry Committees (pp. 8910, 9007).
13. FOREST LANDS. Both Houses received a USDA draft of proposed legislation to authorize the interchange of forest lands between the Departments of Agriculture and Defense; referred to the House Agriculture and the Senate Agriculture and Forestry Committees (pp. 8910, 9007).

The Agriculture Committee reported without amendment the following bills: S. 72, to provide that certain lands acquired by the U. S. shall be administered by the Agriculture Secretary as national forest lands (H. Rept. 1169); H. R. 374, to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest (H. Rept. 1170); and with

LAND TITLE CLARIFICATION WITHIN STANISLAUS NATIONAL FOREST, CALIF.

JULY 13, 1955.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the
following

R E P O R T

[To accompany H. R. 374]

The Committee on Agriculture, to whom was referred the bill (H. R. 374) to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, Calif., having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of this bill is to clarify the title of the United States to a tract of about 440 acres of land in Stanislaus National Forest, Calif., and also of an adjoining tract of equal size adjacent to the national forest in private ownership. By a mistake in the land grant from the State of California, the deed to the private property describes the tract within the national forest, while the deed to the national forest property describes the adjacent private tract. No exchange of possession or use is involved. The Forest Service has been using and administering the tract within the national forest, while the private owners have been using the tract outside the forest. This bill will merely rectify and clarify this mistake in the land description.

Following is a letter from the Department of Agriculture recommending enactment of the bill and describing in more detail the circumstances giving rise to the need for this legislation.

2 LAND TITLE CLARIFICATION WITHIN STANISLAUS NATIONAL FOREST

JUNE 10, 1955.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in response to your request of May 26 for a report on H. R. 374, a bill to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, Calif., and for other purposes.

We favor enactment of this bill.

H. R. 374 would authorize the Secretary of Agriculture to accept a conveyance to about 440 acres of land in the Stanislaus National Forest, Calif., and to convey an adjoining 440 acres to the grantors of the first described tract.

The tract of land which would be conveyed to the United States is described in a patent issued by the State of California in 1898, based upon a survey plat which showed the lands as swampland. This plat was filed and later rejected on the basis that the survey was fraudulent. A consent decree in a Federal court in 1916 recognized the title of the patentee to the land described in the State patent. Subsequent surveys of the sections involved, however, showed that the lands described in the State patent do not cover the tracts claimed and used by the State's patentee and successors as these are located on the ground. Instead the descriptions cover national-forest lands adjoining on the north. The land which the holders of the State patent intended to obtain and which has been used by them is covered by the second description in the bill. This is the land that the Secretary of Agriculture would be authorized to quitclaim to the claimants.

The lands intended to be covered by the State patent and which have been used by claimants under the patent and court decree include a mountain meadow, locally known as Bell Meadows, useful in summer grazing of livestock. This property has been improved as a headquarters for livestock grazing by corrals, fencing, and other facilities. This use has extended over a period of 50 years and the claim to the tract has been recognized since the 1916 court decree. The national forest land described in the State patent is timber land and is unoccupied.

The authority contained in H. R. 374 will enable the private owners to obtain record title to the lands which they and their predecessors have used for many years and to which their claim has been recognized in the administration of the national forest. It will also permit clearing from the records any adverse effect which the State patent may have on the Government's title to the national forest land.

To accomplish this exchange, legislation is needed. It would involve neither added expenditures nor savings to the Government.

The Bureau of the Budget advises that from the standpoint of the program of the President there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

○

84TH CONGRESS
1ST SESSION

H. R. 374

[Report No. 1170]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1955

Mr. ENGLE introduced the following bill; which was referred to the Committee on Agriculture

JULY 13, 1955

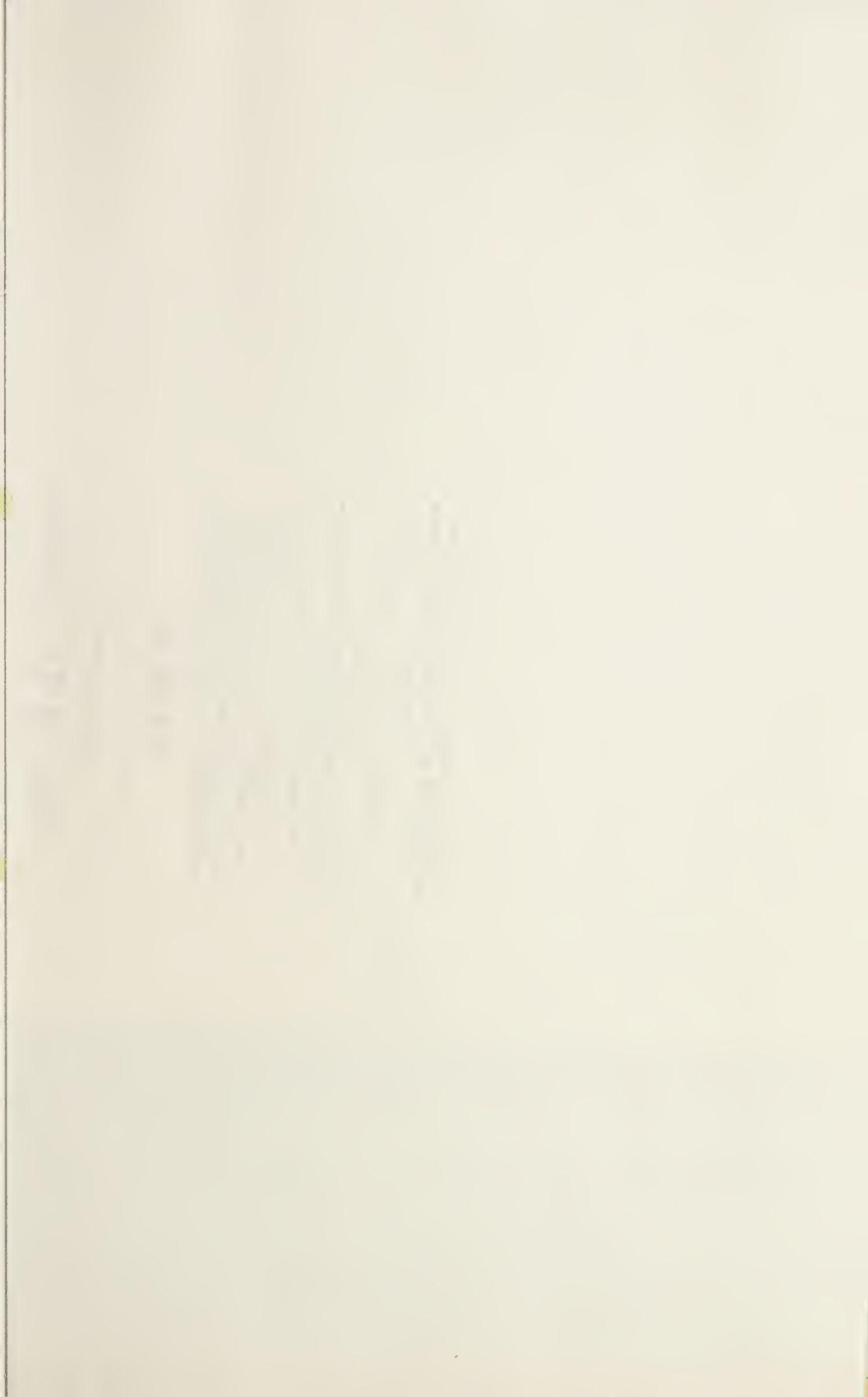
Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in order to clarify and adjust the ownership of certain
4 tracts of land situated within the exterior boundaries of the
5 Stanislaus National Forest, California, the Secretary of Agri-
6 culture is authorized on behalf of the United States to accept
7 from the persons claiming title under patent from the State
8 of California a deed of conveyance of the lands described as
9 follows: South half northwest quarter and north half south-
10 west quarter of section 29, and south half northeast quarter,

1 south half northwest quarter, northeast quarter southwest
2 quarter, northwest quarter southeast quarter, and northeast
3 quarter southeast quarter of section 30, township 4 north,
4 range 19 east, Mount Diablo meridian, California, which
5 lands are a part of the Stanislaus National Forest and sub-
6 ject to all laws and regulations applicable to said national
7 forest, and the Secretary of Agriculture is further authorized
8 to thereupon quitclaim and convey to the grantors of the
9 lands described above all right, title, and interest of the
10 United States in and to the lands described as follows:
11 South half southeast quarter of section 25, and northeast
12 quarter northeast quarter of section 36, township 4 north,
13 range 18 east, and south half south half of section 30, and
14 north half north half of section 31, township 4 north, range
15 19 east, Mount Diablo meridian, California, subject, how-
16 ever, to reservations of such easements for road rights-of-way
17 as the Secretary of Agriculture may determine to be neces-
18 sary for the protection and administration of the Stanislaus
19 National Forest.



84TH CONGRESS
1ST SESSION

H. R. 374

[Report No. 1170]

A BILL

To authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, California, and for other purposes.

By Mr. ENGLE

JANUARY 5, 1955

Referred to the Committee on Agriculture

JULY 13, 1955

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

July 30, 1955

58. MINIMUM WAGE. Agreed to the conference report on S. 2168, to increase the minimum wage, under the Fair Labor Standards Act, to \$1 per hour, effective Mar. 1, 1956 (p. 10559). This bill will now be sent to the President.

59. FORESTRY. Passed without amendment S. 72, to give national forest status to certain lands in Lincoln National Forest, N. Mex. (pp. 10585, 10671). This bill will now be sent to the President.

Passed without amendment H. R. 374, to authorize the adjustment and clarification of ownership of certain lands within the Stanislaus National Forest, Calif. (pp. 10585-6).

Passed with amendments H. R. 426, to authorize this Department to set aside areas of not over 640 acres, in national forests or title 3 Bankhead-Jones lands, for division into lots and sale as townsites (p. 10586).

Passed as reported H. R. 1855, to authorize the Secretary of Agriculture to advance Federal funds in the furtherance of cooperative forestry research projects (p. 10587).

60. LAND TRANSFER. Passed without amendment H. J. Res. 112, to release the reversionary right to improvements on a tract of former Rural Rehabilitation Corp. land in Orangeburg, S. C. (pp. 10589-90).

61. TOBACCO. Passed without amendment S. 2297, to amend the law regarding tobacco marketing quotas and referendums, including a provision to permit a referendum to be conducted on the single question of marketing quotas for 3 years (instead of on 3 years and 1 year, as at present) (pp. 10596-7). This bill will now be sent to the President.

H. R. 6846 and 6847, to make other amendments to this legislation, were discussed and passed over at the requests of Reps. Deane and Burnside, respectively (p. 10596).

62. RICE. Passed without amendment H. R. 7302, to prevent persons from moving from one State to another and taking their rice allotments with them (p. 10597).

Passed without amendment S. 2511, to provide that for 1956 no national rice acreage allotment shall be established which is less than 85% of the final allotment established for the immediately preceding year (pp. 10606-7). This bill will now be sent to the President.

63. FARM LABOR. Passed as reported H. R. 6888, to facilitate the entry of skilled shepherders chargeable to the immigration quota for Spain (pp. 10597-8).

64. EDUCATION. Passed as reported H. R. 7245, to amend and extend the program for Federal aid to school districts in areas affected by Federal activities (pp. 10604-5).

Passed without amendment S. 2081, to amend the Veterans' Readjustment Assistance Act of 1952 to provide that education and training allowances paid to veterans pursuing institutional on-farm training shall not be reduced for 12 months after they have begun their training (pp. 10656-7). This bill will now be sent to the President.

65. BONDING EMPLOYEES. Agreed to the conference report on H. R. 4778, to provide for the purchase of bonds to cover Government employees (p. 10655). This bill will now be sent to the President.

66. PUBLIC LANDS; MINING. Received the conference report on H. R. 100, permitting the mining, development, and utilization of the mineral resources of all public lands withdrawn or reserved for power development (pp. 10674-5). The Senate agreed to the conference report on this bill (pp. 10775).

67. BUILDINGS. Passed without amendment S. 1210, to amend the Public Buildings Act of 1949 so as to provide a 5-year limitation on the period of leases of space for Federal agencies in D. C. (p. 10594). This bill will now be sent to the President.
68. WATER COMPACT. Passed without amendment S. 1391, consenting to a compact between Calif. and Nev. regarding waters of Truckee, Carson, and Walker Rivers and Lake Tahoe (pp. 10583-4). This bill will now be sent to the President.
69. PERSONNEL. Passed as reported H. R. 7619, to adjust pay rates of department heads and other major officials (pp. 10662-6). For provisions of bill, see Digest 128.
Passed as reported S. 1041, providing for inclusion of certain cooperative State service in the authorized coverage of the Civil Service Retirement Act (pp. 10581-2). For provisions of bill, see Digest 110.
Passed as reported S. 1792, to amend the Federal Employees Group Life Insurance Act of 1954 so as to authorize the assumption of the insurance obligations of any nonprofit association of Federal employees (p. 10582). For provisions of bill, see Digest 110.
Passed as reported H. R. 2383, to authorize an Inventive Contributions Awards Board in the Defense Department (pp. 10602--4).
Passed without amendment H. R. 3255, to amend the Classification Act of 1949 to preserve in certain cases the rates of basic pay of officers and employees whose positions are placed in lower grades by virtue of reclassification actions under such Act (pp. 10657-8).
Discussed and, at the requests of Reps. Vanik and Hagen, passed over H. R. 3084, to amend legislation regarding prevention of political activities so as to include State officers and employees (pp. 10604, 10655).
70. RECLAMATION. Passed without amendment H. R. 1603, to terminate the prohibition against employment of Mongolian labor in the construction of reclamation projects (p. 10613).
71. PUBLIC LANDS. Passed with amendments H. R. 6994, to provide for entry and location, on discovery of a valuable source material, upon public lands classified as or known to be valuable for coal (pp. 10608-9).
72. ANIMAL DISEASES. Discussed and, at the request of Rep. Hoffman, Mich., passed over S. 1166, to restore, on a modified basis, the authority of this Department to restrict the entry of cattle and poultry into the Virgin Islands (p. 10594).
73. CCC STOCKS. On objection of Rep. Saylor, passed over H. R. 7252, to permit the sale of CCC stocks of basic and storable non-basic agricultural commodities without restriction where similar commodities are exported in raw or processed form (p. 10592).
74. SUBMARGINAL LANDS. At the request of Rep. Cunningham, passed over H. R. 6815, to provide for sale of certain title 3 Bankhead-Jones lands (p. 10594).
75. WILDLIFE CONSERVATION. Discussed and, on objection of Rep. Taber, passed over S. 756, to authorize the appropriation of accumulated receipts in the Federal-aid wildlife-conservation fund (p. 10654).
76. ADJOURNED until Mon., Aug. 1 (p. 10676).
77. LEGISLATIVE PROGRAM. Majority Leader McCormack announced the following among the bills to be considered Mon.: H. R. 7541, increase in CCC borrowing power;

vance on their dockets and expedite the disposition of all claims filed therein pursuant to this act. The attorney general of Hawaii may intervene in any proceeding instituted under the provisions of this act.

SEC. 4. The petition shall allege and it shall be shown—

(a) that during World War II a conveyance of lands, with or without improvements, was made to the Territory of Hawaii, or a political subdivision thereof, by an organization or group made up of persons of Japanese ancestry theretofore holding such property for eleemosynary purposes;

(b) that such conveyance was made without monetary consideration other than the assumption of mortgages or other encumbrances, or was made upon a nominal consideration;

(c) that such conveyance was not lawfully authorized under the laws, constitution, by-laws or the like governing the same, or alternatively that such conveyance was made or procured in such a manner as to cause such conveyance to be voidable;

(d) that the petitioner is, or the petitioners are, the real parties in interest, and that no assignment or transfer of the claim, or of any part thereof or interest therein, has been made except as stated in the petition;

(e) that the return of the property is sought for the purpose of resuming the eleemosynary use for which the property was held prior to the conveyance to the Territory or a political subdivision thereof, or alternatively, if the petitioner does not intend to resume the eleemosynary use of the property for which it was held prior to the conveyance to the Territory or political subdivision thereof, the petitioner shall indicate in its petition whether there are some other purposes for its seeking the return of the property and what disposition it intends to make of the property, if the same is returned; and

(f) that the respondents named in the petition include and constitute the grantee or grantees and their successors in title, if any, who received the original conveyance and all other persons or Government bodies having or claiming any interest therein or occupancy thereof; and all such respondents shall be personally served with the petition.

SEC. 5. If the allegations required by section 4 hereof are contained in the petition, the circuit court shall hear and determine the claim as a court of equity, without a jury, and may, in the exercise of its sound discretion and within the principles herein-after set forth, either direct the return of the property to the petitioner, if the allegations of the petition are sustained, or make such other order as it shall deem appropriate.

SEC. 6. In the disposition and determination of such claims, the circuit court shall, in addition to the general principles of equity, be governed by the following principles:

(a) In case of an assignment or transfer of a claim, or any part thereof or interest therein, the claim, or so much thereof as is involved in the assignment or transfer, shall be denied and disallowed unless it shall be shown that the assignment or transfer was made for a good and sufficient reason without any motive of speculation.

(b) If the allegations of the petition are proved, and if the property is then being used by the Territory or a political subdivision thereof, the court may direct that the property be retained for a reasonable time so as to allow the Territory or political subdivision thereof using the property to obtain other accommodations. The use of the property during such period of time shall be without charge to the Territory or political subdivision thereof, as the case may be.

(c) No vested rights or interest of any person, whether held in fee simple or for

a term of years or otherwise, shall be impaired by the disposition of any such claim. If the property has been sold, the court may direct payment by the Territory or political subdivision thereof to the persons who would have been entitled to the return of the property had it not been sold. Such payment shall not exceed the consideration received for the property, and such payment shall be without interest.

(d) In respect of property which has been improved during the tenure of the Territory or political subdivision thereof, either by the making of new improvements or by betterment of the property in any form, it shall be a condition to the granting of the claim that the Territory or political subdivision thereof be reimbursed, without interest, for such improvements.

(e) In respect of mortgages, tax liens, or other encumbrances upon the property at the time of the original conveyance, which by reason of the conveyance were assumed or have been discharged, it shall be a condition to the granting of the claim that the Territory or political subdivision thereof be relieved of the obligations so assumed, and to the extent that the same shall have been discharged, that the Territory or political subdivision thereof, as the case may be, be reimbursed without interest therefor.

(f) The court shall not make any pecuniary award to any petitioner for rents or damages or for any other cause, and the redress of petitioners shall be confined to the return or proper disposition of the property according to the principles herein set forth, except as stated in paragraph (c) of this subsection.

SEC. 7. The Territory of Hawaii may appropriate funds for the purpose of carrying out the provisions of this act.

SEC. 8. Nothing contained in this act shall preclude the Territory of Hawaii from exercising the power of eminent domain.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATION OF CERTAIN LANDS BY DEPARTMENT OF AGRICULTURE

The Clerk called the bill (S. 72) to provide that certain lands acquired by the United States shall be administered by the Secretary of Agriculture as national forest lands.

Mr. HAYS of Ohio. Mr. Speaker, reserving the right to object, does this give the Secretary of Agriculture additional duties he does not already now have in regard to lands that are not in his Department?

Mr. COOLEY. I understand it takes these lands in New Mexico which are not now in the national forest and makes them officially part of the national forest.

Mr. HAYS of Ohio. Who is administering these lands now?

Mr. COOLEY. The Federal Government is now administering the land involved. This makes it officially part of the national forest.

Mr. HAYS of Ohio. What Department is administering them now?

Mr. COOLEY. Technically, the Department of the Interior; practically, the Department of Agriculture. The report states:

Although the original intent of Congress in authorizing the exchange was that the

lands so acquired should become a part of the national forest, because of technicalities involved in this exchange, this legislation is needed to actually give the land national forest status.

Mr. HAYS of Ohio. Who is administering this land now? Interior, Agriculture, or who?

Mr. COOLEY. Interior. We have a communication from Mr. True D. Morse, Acting Secretary.

Mr. LAIRD. Mr. Speaker, this bill was heard by a subcommittee. The Department of the Interior is now presently charged with that responsibility, but the lands were originally intended to be part of this forest. I think our colleague from New Mexico can explain this situation and how it developed.

Mr. FERNANDEZ. Mr. Speaker, this is a tract of land which the State of New Mexico owned within Forest Service land, or within large Forest Service tracts. The State of New Mexico exchanged those lands with the Government for outside lands which were under the jurisdiction of the Interior Department, the Taylor Grazing Act administration. The purpose of passing this bill is to put those tracts of land which are within national forests under the administration of the forest department and take it away from the Department of the Interior. They are very small tracts.

Mr. HAYS of Ohio. Is that what the gentleman wants?

Mr. FERNANDEZ. That is what the State of New Mexico wants, yes.

Mr. HAYS of Ohio. I withdraw my reservation of objection. I made it because I think the Secretary of Agriculture is doing such a poor job with what he has that I did not want to give him any additional powers.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. PRIEST). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LAND TITLE CLARIFICATION WITHIN STANISLAUS NATIONAL FOREST, CALIF.

The Clerk called the bill (H. R. 374) to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, Calif.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SAYLOR. Mr. Speaker, reserving the right to object, can someone tell us what this bill does?

Mr. ENGLE. Mr. Speaker, this is simply correction of a survey which was erroneously made in the Stanislaus National Forest years ago when they sent survey crews out into those areas. Those gentlemen spent most of their time in camp and dreamed up this survey line. As a consequence, these people have occupied that piece of land which they thought they owned, but when the

survey lines were checked they found out they were on the wrong land. This swaps territory or areas of the same character so that they can remain on the land that they have been on for 50 years. It seems to me the family has been on this land for nearly a half century.

Mr. SAYLOR. This is still forest land. If they have been erroneously on the land, that gives them no right to it.

Mr. ENGLE. It is correction of a description in a deed. When they got their patent the patent described the wrong land. This corrects it.

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object, are they on the right land now that they want?

Mr. ENGLE. They are not going to move. They are going to get the deed corrected. They are staying where they are, where they have been for 50 years. When the deed was issued, due to an erroneous survey, they did not get a proper description of their property. This will simply save the expense of quieting title under adverse possession.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. COOLEY. Mr. Speaker, reserving the right to object, as I understand it, there were two tracts of land originally involved. The draftsman described the wrong tracts in the deed. So it is a question of straightening out the record title and avoiding a possible lawsuit. The only way it could be corrected would be by going into court and having the deeds corrected. The original intention of the Government and the grantees in each of these deeds was to receive actual possession of the property they wanted. The Government has the land it intended to purchase but the deed describes another tract. But the record title is confused.

Mr. SAYLOR. In other words, the land they are in possession of is within the confines of a national forest?

Mr. COOLEY. One is and one is not in the national forest.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Texas.

Mr. POAGE. As a matter of fact, there were 2 tracts of land involved, as the chairman pointed out. Tract A was described by metes and bounds, as was tract D. The Government finally acquired tract D, but it was described by the metes and bounds of tract A. The deed to the land of the owner of tract A was described by metes and bounds which actually designated land belonging to the Government. The Government has the land that it intended to buy but its deed describes another tract. It is in the national forest, but the technical title is in the individual. The title to the Government land lies in private hands. The title to the individual's land is in the Government. This simply allows them to correct an error that was made about 50 years ago.

Mr. SAYLOR. With that explanation, I have no objection. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore (Mr. PRIEST). Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to clarify and adjust the ownership of certain tracts of land situated within the exterior boundaries of the Stanislaus National Forest, Calif., the Secretary of Agriculture is authorized on behalf of the United States to accept from the persons claiming title under patent from the State of California a deed of conveyance of the lands described as follows: South half northwest quarter and north half southwest quarter of section 29, and south half northeast quarter, south half northwest quarter, northeast quarter southwest quarter, northwest quarter southeast quarter, and northeast quarter southeast quarter of section 30, township 4 north, range 19 east, Mount Diablo meridian, California, which lands are a part of the Stanislaus National Forest and subject to all laws and regulations applicable to said national forest, and the Secretary of Agriculture is further authorized to thereupon quitclaim and convey to the grantors of the lands described above all right, title, and interest of the United States in and to the lands described as follows: South half southeast quarter of section 25, and northeast quarter northeast quarter of section 36, township 4, north, range 18 east, and south half south half of section 30, and north half north half of section 31, township 4 north, range 19 east, Mount Diablo meridian, California, subject, however, to reservations of such easements for road rights-of-way as the Secretary of Agriculture may determine to be necessary for the protection and administration of the Stanislaus National Forest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHMENT OF TOWNSITES

The Clerk called the bill (H. R. 426) to provide for the establishment of townsites and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That areas of not to exceed 640 acres for any one application may be set aside and designated by the Secretary of Agriculture as a townsite from any national forest land or land administered by the Secretary of Agriculture under title III of the Bankhead-Jones Farm Tenant Act, upon application and satisfactorily showing of need therefor by any county, city, or other governmental subdivision. Areas so designated may be divided into townlots and offered for sale by the Secretary of Agriculture at public sale to the highest bidder: *Provided*, That any of such lots as may be offered for sale at a public sale and for which there is no satisfactory bid may be disposed of by the Secretary of Agriculture at private sale for not less than the appraised value thereof: *Provided further*, That any person now occupying any of such lands and having constructed improvements thereon pursuant to a permit or other authorization from the Federal Government shall be given the opportunity of purchasing such lands at the appraised value.

With the following committee amendments:

Page 1, line 8, after "application and", insert "after public notice."

Page 1, line 9, after "other", insert "local."
Page 2, line 1, strike out the colon and insert "for no less than the appraised value thereof."

Page 2, lines 6 and 7, strike out "and having constructed improvements thereon" and insert "on which improvements have been constructed by him or his predecessor."

Page 2, line 9, strike out the period at the end of the bill and add "And, provided further, That no more than three such town lots may be sold at either public or private sale to any person or private corporation, firm, or agency."

The committee amendments were agreed to.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that a correction be made on page 1, line 8, in the spelling of the word "satisfactorily."

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PORT OF ENTRY ON THE ALASKA HIGHWAY

The Clerk called the bill (H. R. 604) to provide port of entry and related facilities on the Alaska Highway at the Alaska-Canadian border in the Territory of Alaska, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, may we have an explanation of this bill?

Mr. BARTLETT. Mr. Speaker, this bill simply authorizes the Secretary of the interior to make a study and report to the Congress in respect to the establishment of facilities for Government agencies on the Alaska Highway at the Canadian boundary. At the present time these Government officers are located in ramshackle buildings almost 100 miles from the border, a very undesirable situation, and all this bill would do would be to have the Secretary of the Interior make a study of a site and buildings closer to the border of the United States for Government purposes.

Mr. MILLER of Nebraska. The Secretary has that authority now, and I do not understand why it is necessary to have additional legislation to give him authority that he already has.

Mr. BARTLETT. I might say to the gentleman that the bill in its original form came up by way of an Executive communication. It contemplated actual construction, authorization of construction. That was amended in committee to restrict this merely to a study. The Secretary of the Interior, I might add, is to make the study not only for the Interior Department agencies but for all the other departments of the Government concerned; Immigration, for instance.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

H. R. 374

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 1955

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in order to clarify and adjust the ownership of certain
4 tracts of land situated within the exterior boundaries of the
5 Stanislaus National Forest, California, the Secretary of Agri-
6 culture is authorized on behalf of the United States to accept
7 from the persons claiming title under patent from the State
8 of California a deed of conveyance of the lands described as
9 follows: South half northwest quarter and north half south-
10 west quarter of section 29, and south half northeast quarter,

1 south half northwest quarter, northeast quarter southwest
2 quarter, northwest quarter southeast quarter, and northeast
3 quarter southeast quarter of section 30, township 4 north,
4 range 19 east, Mount Diablo meridian, California, which
5 lands are a part of the Stanislaus National Forest and sub-
6 ject to all laws and regulations applicable to said national
7 forest, and the Secretary of Agriculture is further authorized
8 to thereupon quitclaim and convey to the grantors of the
9 lands described above all right, title, and interest of the
10 United States in and to the lands described as follows:
11 South half southeast quarter of section 25, and northeast
12 quarter northeast quarter of section 36, township 4 north,
13 range 18 east, and south half south half of section 30, and
14 north half north half of section 31, township 4 north, range
15 19 east, Mount Diablo meridian, California, subject, how-
16 ever, to reservations of such easements for road rights-of-way
17 as the Secretary of Agriculture may determine to be neces-
18 sary for the protection and administration of the Stanislaus
19 National Forest.

Passed the House of Representatives July 30, 1955.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, California, and for other purposes.

AUGUST 1, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 22, 1956
For actions of March 21, 1956
84th-2nd, No. 50

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HIGHLIGHTS: House passed second supplemental appropriation bill for 1956. House agreed to Senate amendments to bill extending school milk and brucellosis eradication programs through 1958. Sen. Anderson questioned Department's estimate of minimum support level under farm bill for basic crops. Sen. Capehart and Rep. Harvey introduced and discussed bills to increase industrial use of agricultural surpluses.

HOUSE

1. APPROPRIATIONS. Passed with amendments H. R. 10004, the second supplemental appropriation bill for 1956. p. 4680 (For items of interest to this Department, see Digest 46.)
2. SCHOOL MILK; BRUCELLOSIS ERADICATION. Rejected the conference report on H. R. 8320, to extend the school milk and brucellosis eradication programs, and adopted the Senate amendments thereto (pp. 4680, A2553). The Senate amendments provided for the extension of the school milk and brucellosis eradication programs through the fiscal year 1958 and increases in funds available for the programs, the extension of the milk program to certain nursery schools and non-profit organizations, and the extension of the surplus dairy products disposal to the VA and armed services through 1958. This bill is now ready for the President.
3. TOBACCO. Rep. Wilson, Ind., criticized the use of inferior and stem tobacco in the manufacture of cigarettes and suggested that an investigation be made of the possible harmful effects of this process of manufacture. p. 4679
4. DAIRY INDUSTRY. Rep. Andersen paid tribute to D. T. Carlson as a leader in the dairy industry. p. 4680

March 21, 1956

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5. BANKING AND CURRENCY. Rep. Reuss spoke in favor of his bill H. R. 10080, to provide for the payment by the U. S. Treasury of unpaid principal and interest, up to the date of receivership, of bonds of six joint stock land banks which failed in the 1920's and 1930's. p. 4706
6. MONOPOLISTS. Rep. Patman, in a speech favorable to H. R. 11, to prohibit certain price discriminations, cited the support of the Cooperative League to this measure. p. 4712
7. ELECTRIFICATION. Both Houses received the annual report of the Federal Power Commission; to the Interstate and Foreign Commerce Committee. pp. 4714, 4638
8. TRANSPORTATION. The Merchant Marine and Fisheries Committee reported without amendment H. R. 7874, to provide for transportation of passengers and merchandise on Canadian vessels between certain points within Alaska and the U. S. (H. Rept. 1928). p. 4714
9. PROPERTY. The Government Operations Committee adopted a report, "Real and Personal Property Inventory Report" of the U. S. government (H. Rept. 1930). p. 4714

SENATE

10. FARM PROGRAM. Sen. Anderson questioned the accuracy of figures released by the Department of estimated minimum support levels for basic crops and dairy products under the farm bill, S. 3183, and offered computations he had made to support his position. p. 4676

For a summary of the provisions of the farm bill as passed by the Senate see the attachment to this Digest.

11. FORESTRY. The Agriculture and Forestry Committee ordered reported without amendment the following bills: p. D267

H. R. 374, to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest.

H. R. 1855, to authorize the Secretary of Agriculture to (1) require, whenever it is determined to be in the public interest, that satisfactory cooperative arrangements be made before any research is undertaken by the Forest Service; (2) establish a Forest and Range Research National Advisory Committee; (3) advance funds to cooperators when cooperative research work will be stimulated or facilitated by so doing; and (4) pay from Forest Service research activities funds the travel and subsistence expenses of the members of the Forest and Range Research National Advisory Committee in connection with their attendance at meetings for the purpose of performing their duties.

12. WATER CONSERVATION. The Agriculture and Forestry Committee ordered reported without amendment H. R. 7236, to amend section 8 (b) of the Soil Conservation and Domestic Allotment Act with respect to water conservation practices. p. D267

13. SEEDS. The Agriculture and Forestry Committee ordered reported with amendment S. 1688, to prescribe civil penalties for violations of the Federal Seed Act. p. D267

14. PUBLIC LANDS. The Agriculture and Forestry Committee ordered reported with amendment S. 2246, to authorize the sale of certain lands to the city of Wall, S. Dak.; and without amendment H. J. Res. 112, to release reversicary right

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

March 23, 1956
March 22, 1956
84th-2nd, No. 51

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HIGHLIGHTS: Rep. Jones, Mo., defended House Agriculture Committee against allegations of dilatory tactics in consideration of farm bill. Rep. Johnson, Wis., criticized flexible price support of dairy products and cited decline in dairy products producers' gross income. Rep. Gross urged acceleration of consideration of farm bill and soil bank proposal. Rep. Sikes urged increased Federal-State cooperation in forestry programs. Rep. Fountain criticized this Department's actions in CCC cheese purchase. Sen. Humphrey said farm program was factor in Minnesota primary election.

SENATE

1. FARM PROGRAM. The "Daily Digest" states that "conferees of the Senate met in executive session with representatives of the House Committee on Agriculture to discuss H. R. 12, Agricultural Act of 1956. It was announced that a conference meeting will be held on this bill on Monday, March 26". p. B280

Sen. Humphrey spoke of the farm program as being a factor in the results of the Presidential primary election in Minnesota. p. 4775

Sen. Langer inserted several resolutions adopted by the Water Users Irrigation Conference relative to the sale of lands within irrigation districts, minor construction by irrigation districts, increasing the sugar beet quota, increasing acreage allotments for small farmers, and expanding the noxious weed program. p. 4718

2. FORESTRY. The Agriculture and Forestry Committee reported without amendment the following bills: p. 4712

H. R. 374, to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest (S. Rept. 1702).

H. R. 1855, to authorize the Secretary of Agriculture to (1) require, whenever it is determined to be in the public interest, that satisfactory cooperative arrangements be made before any research is undertaken by the Forest Service; (2) establish a Forest and Range Research National Advisory Committee, (3) advance funds to cooperators when cooperative research work will be

stimulated or facilitated by so doing; and (4) pay from Forest Service research activities funds the travel and subsistence expenses of the members of the Forest and Range Research National Advisory Committee in connection with their attendance at meetings for the purpose of performing their duties (S. Rept. 1703).

3. WATER CONSERVATION. The Agriculture and Forestry Committee reported without amendment H. R. 7236, to amend section 8 (b) of the Soil Conservation and Domestic Allotment Act with respect to water conservation practices (S. Rept. 1704). p. 4719
4. SEEDS. The Agriculture and Forestry Committee reported with amendment S. 1688, to prescribe civil penalties for violations of the Federal Seed Act (S. Rept. 1701). p. 4719
5. PUBLIC LANDS. The Agriculture and Forestry Committee reported with amendment S. 2246, to authorize the sale of certain lands to the city of Wall, S. Dak. (S. Rept. 1700); and without amendment H. J. Res. 112, to release reversionary right to improvements on a 3-acre tract in Orangeburg County, S. C. (S. Rept. 1707). p. 4719
6. COMMITTEE ASSIGNMENTS. Sen. Anderson was excused from further service as a member of the Agriculture and Forestry Committee and assigned to the Finance Committee. Sen. Johnson was excused from further service as a member of the Finance Committee and assigned to the Appropriations Committee. Sen. Laird was assigned to the Post Office and Civil Service Committee. p. 4717
7. FORESTRY. Sen. Morse spoke in favor of and explained the provisions of a bill (S. 3420) he recently introduced to expand the construction of forest access roads, and inserted the text of the bill and statements relative to it. p. 4758

HOUSE

8. FARM PROGRAM. Rep. Jones, Mo., defended the Agriculture Committee and the Democratic Party membership against allegations of dilatory tactics in consideration of the farm bill. p. 4783
Rep. Gross urged that consideration of the farm bill, including the soil bank proposal, be accelerated, even foregoing the scheduled Easter recess. However, Rep. Jones contended that consideration would be given to the farm bill as soon as possible, after study of its provisions. p. 4788
9. DAIRY PRODUCTS. Rep. Johnson, Wis., criticized the operation of flexible price supports as contributing to the alleged decline in the gross income of the dairy farmer. p. 4783
10. FORESTRY. Rep. Sikes urged increased Federal-State cooperation in tree planting activities, forest fire control, forestry research, and forest management. He urged that obstacles to accomplishment of these objectives be overcome as soon as possible. p. 4788
11. SURPLUS COMMODITIES. Rep. Fountain criticized this Department's actions in certain Commodity Credit Corporation cheese purchase and resale activities of March and April 1954 and inserted correspondence between this Department and

LAND TITLE CLARIFICATION WITHIN STANISLAUS
NATIONAL FOREST, CALIF.

MARCH 22 (legislative day, March 19), 1956.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry,
submitted the following

R E P O R T

[To accompany H. R. 374]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 374) to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, Calif., and for other purposes, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill authorizes an exchange of deeds to correct an error, as is fully explained in the attached report of the House Committee on Agriculture.

STATEMENT

The purpose of this bill is to clarify the title of the United States to a tract of about 440 acres of land in Stanislaus National Forest, Calif., and also of an adjoining tract of equal size adjacent to the national forest in private ownership. By a mistake in the land grant from the State of California, the deed to the private property describes the tract within the national forest, while the deed to the national forest property describes the adjacent private tract. No exchange of possession or use is involved. The Forest Service has been using and administering the tract within the national forest, while the private owners have been using the tract outside the forest. This bill will merely rectify and clarify this mistake in the land description.

Following is a letter from the Department of Agriculture recommending enactment of the bill and describing in more detail the circumstances giving rise to the need for this legislation.

JUNE 10, 1955.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives*

DEAR CONGRESSMAN COOLEY: This is in response to your request of May 26 for a report on H. R. 374, a bill to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, Calif., and for other purposes.

We favor enactment of this bill.

H. R. 374 would authorize the Secretary of Agriculture to accept a conveyance to about 440 acres of land in the Stanislaus National Forest, Calif., and to convey an adjoining 440 acres to the grantors of the first described tract.

The tract of land which would be conveyed to the United States is described in a patent issued by the State of California in 1898, based upon a survey plat which showed the lands as swamp land. This plat was filed and later rejected on the basis that the survey was fraudulent. A consent decree in a Federal court in 1916 recognized the title of the patentee to the land described in the State patent. Subsequent surveys of the sections involved, however, showed that the lands described in the State patent do not cover the tracts claimed and used by the State's patentee and successors as these are located on the ground. Instead the descriptions cover national-forest lands adjoining on the north. The land which the holders of the State patent intended to obtain and which has been used by them is covered by the second description in the bill. This is the land that the Secretary of Agriculture would be authorized to quitclaim to the claimants.

The lands intended to be covered by the State patent and which have been used by claimants under the patent and court decree include a mountain meadow, locally known as Bell Meadows, useful in summer grazing of livestock. This property has been improved as a headquarters for livestock grazing by corrals, fencing, and other facilities. This use has extended over a period of 50 years and the claim to the tract has been recognized since the 1916 court decree. The national forest land described in the State patent is timberland and is unoccupied.

The authority contained in H. R. 374 will enable the private owners to obtain record title to the lands which they and their predecessors have used for many years and to which their claim has been recognized in the administration of the national forest. It will also permit clearing from the records any adverse effect which the State patent may have on the Government's title to the national forest land.

To accomplish this exchange, legislation is needed. It would involve neither added expenditures nor savings to the Government.

The Bureau of the Budget advises that from the standpoint of the program of the President there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

○

Calendar No. 1727

84TH CONGRESS
2D SESSION

H. R. 374

[Report No. 1702]

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 1955

Read twice and referred to the Committee on Agriculture and Forestry

MARCH 22 (legislative day, MARCH 19), 1956

Reported by Mr. ELLENDER, without amendment

AN ACT

To authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in order to clarify and adjust the ownership of certain
4 tracts of land situated within the exterior boundaries of the
5 Stanislaus National Forest, California, the Secretary of Agri-
6 culture is authorized on behalf of the United States to accept
7 from the persons claiming title under patent from the State
8 of California a deed of conveyance of the lands described as
9 follows: South half northwest quarter and north half south-
10 west quarter of section 29, and south half northeast quarter,

1 south half northwest quarter, northeast quarter southwest
2 quarter, northwest quarter southeast quarter, and northeast
3 quarter southeast quarter of section 30, township 4 north,
4 range 19 east, Mount Diablo meridian, California, which
5 lands are a part of the Stanislaus National Forest and sub-
6 ject to all laws and regulations applicable to said national
7 forest, and the Secretary of Agriculture is further authorized
8 to thereupon quitclaim and convey to the grantors of the
9 lands described above all right, title, and interest of the
10 United States in and to the lands described as follows:
11 South half southeast quarter of section 25, and northeast
12 quarter northeast quarter of section 36, township 4 north,
13 range 18 east, and south half south half of section 30, and
14 north half north half of section 31, township 4 north, range
15 19 east, Mount Diablo meridian, California, subject, how-
16 ever, to reservations of such easements for road rights-of-way
17 as the Secretary of Agriculture may determine to be neces-
18 sary for the protection and administration of the Stanislaus
19 National Forest.

Passed the House of Representatives July 30, 1955.

Attest:

RALPH R. ROBERTS,

Clerk.

84TH CONGRESS
2D SESSION

H. R. 374

[Report No. 1702]

AN ACT

To authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, California, and for other purposes.

AUGUST 1, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

MARCH 22 (legislative day, MARCH 19), 1956

Reported without amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 27, 1956
For actions of March 26, 1956
84th-2nd, No. 53

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House sent farm bill to conference. House subcommittee ordered reported bill amending date of announcement of tobacco marketing quotas. House committee ordered reported bill authorizing U. S. membership in OTC.

HOUSE

1. FARM PROGRAM. Reps. Colley, Poage, Gathings, Hope, and Andresen were appointed conferees on H. R. 12, the farm bill. p. 4989 (Senate conferees were appointed on Mar. 19.) Reps. Arends, Miller, Neb., and Gross questioned Rep. Cooley regarding the time when a report might be forthcoming, but Rep. Cooley urged that temperate consideration be taken of the measure and said it would require considerable thought. p. 4990

Rep. Deane urged that, in consideration of H. R. 12, there should be some provision for the adjustment of acreage allotments and marketing quotas as affected by abnormal weather conditions. p. 4984

Rep. Berry recommended that Congress forego its scheduled Easter recess until farm legislation is passed. p. 4985

Rep. Miller said conferees should complete action on the farm bill as soon as possible. p. 4986

Rep. Hoffman criticized Rep. Cooley for stating that Secretary Benson would not be called before the committee, and alleged a rather close tie existed between Rep. Cooley and Mr. W. Reuther. p. 4986 Rep. Holland defended Mr. Reuther against the alleged attacks of Rep. Hoffman. p. 4987

The "Daily Digest" states that the Agriculture Committee met in executive session on H. R. 12 and adopted motions expressing its sense that the committee is opposed to a compulsory soil-bank plan and that the proposed limitation on price support benefits should be \$25,000. p. D290

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2. LIVESTOCK AND MEATS. Rep. Jensen inserted the text of several spot announcements used on Station KIVA, Shenandoah, Ia., promoting the increased consumption of meat and dairy products. p. 4987
3. TOBACCO. The Tobacco Subcommittee of the Agriculture Committee ordered favorably reported to the full committee H. R. 9474, to provide for the amendment of the time for announcement of tobacco marketing quotas by the Secretary, by providing that the announcement for flue-cured tobacco should be December 1 of any marketing year and February 1 for other kinds of tobacco. p. D290
4. PERSONNEL. Both Houses received from the Civil Service Commission a proposed bill "to amend the Federal Employees' Group Life Insurance Act of 1954, as amended, to provide nonoccupational group major medical expense insurance for Federal employees and their dependents...."; to the Post Office and Civil Service Committees. pp. 4894, 5009
5. INFORMATION. Passed with amendments H. R. 8957, to extend the time within which the commission may report on the plans for a D. C. Civic Auditorium. p. 4988, 4991
6. MONOPOLIES. Rep. Patman inserted a statement of the National Council of Farmer Cooperatives supporting H. R. 11, to prohibit certain price discriminations in trade. p. 5006
7. FOREIGN TRADE. The Ways and Means Committee ordered reported with amendments H. R. 5550, to authorize U. S. membership in the Organization for Trade Cooperation. p. D291

SENATE

8. FOREIGN AFFAIRS. Passed as reported S. 3116, to authorize the President to provide for promotion and strengthening of international relations through cultural and athletic exchanges and participation in international fairs and festivals. p. 4911
9. PUBLIC LANDS. Passed as reported S. 2246, to authorize the sale of certain lands to the city of Wall, S. Dak. p. 4917
Passed without amendment H. J. Res. 112, to release reversionary right to improvement on a 3-acre tract in Orangeburg County, S. Car. This bill is now ready for the President. p. 4925
10. SEEDS. Passed as reported S. 1688, to prescribe civil penalties for violations of the Federal Seed Act. p. 4917
11. FORESTRY. Passed without amendment H. R. 374, to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Calif. This bill is now ready for the President. pp. 4918, 4923
Passed without amendment H. R. 1855, to authorize the Secretary of Agriculture to advance funds to cooperators when cooperative forest research work will be stimulated or facilitated by so doing. This bill is now ready for the President. pp. 4923, 4924 (The other provisions mentioned in Digests 50 and 51 were not in the bill as reported and passed in the Senate.)
The Interior and Insular Affairs Subcommittee on Territories ordered reported to the full committee S. 2517, to provide for releasing from escrow certain receipts from the sale of timber within the Tongass National Forest, Alaska. p. D288

Commerce Act in order to authorize common carriers by railroad to carry a disabled individual requiring an attendant at the usual fare charged for one person, which had been reported from the Committee on Interstate and Foreign Commerce with amendments, on page 1, line 6, after the word "disabled", to strike out "individual" and insert "person"; and on page 2, line 1, after the word "such", to strike out "individual" and insert "person", so as to make the bill read:

Be it enacted, etc., That section 22 of the Interstate Commerce Act is amended by inserting after "or other guide, dog specially trained and educated for that purpose" a comma and "or from carrying a disabled person accompanied by an attendant if such person is disabled to the extent of requiring such attendant,".

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the Interstate Commerce Act in order to authorize common carriers to carry a disabled person requiring an attendant and such attendant at the usual fare charged for one person."

AMENDMENT OF HAWAIIAN ORGANIC ACT

The bill (H. R. 6461) to amend sec. 73 (i) of the Hawaiian Organic Act was considered, ordered to a third reading, read the third time, and passed.

RATIFICATION AND CONFIRMATION OF REVISED LAWS OF HAWAII

The bill (H. R. 6463) to ratify and confirm sec. 4539, Revised Laws of Hawaii, 1945, sec. 1 (b), act 12, Session Laws of Hawaii, 1951, and the sales of public lands consummated pursuant to the terms of said statutes was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF CERTAIN PATENTS OF GOVERNMENT LANDS, TERRITORY OF HAWAII

The bill (H. R. 6807) to authorize the amendment of certain patents of Government lands containing restrictions as to use of such lands in the Territory of Hawaii was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF SECTION 73 (I) OF THE HAWAIIAN ORGANIC ACT

The bill (H. R. 6808) to amend section 73 (i) of the Hawaiian Organic Act was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF RESTRICTED COVENANT ON LAND PATENT NO. 10410, COUNTY OF HAWAII, T. H.

The bill (H. R. 6824) to authorize the amendment of the restrictive covenant on land patent No. 10410 issued to Keoshi

Matsunaga, his heirs or assigns on July 20, 1936, and covering lots situated in the county of Hawaii, T. H., was considered, ordered to a third reading, read the third time, and passed.

SALE OF CERTAIN LANDS TO THE CITY OF WALL, S. DAK.

The Senate proceeded to consider the bill (S. 2246) to authorize the sale of certain lands to the city of Wall, S. Dak., which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 10, after word "numbered", to strike out "5209" and insert "5299", and on page 2, line 10, after the word "the", where it appears the second time, to insert "said lot 3, 150 feet to the east boundary line of block A as platted and according to plat on file, thence south 0 degrees 1 minute west 47.35 feet to the southeast corner of said block A, thence west 483.06 feet to the east boundary line of the public highway as now established, thence on a curve southwesterly 1,600 feet along the southeasterly boundary line of said," so as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to convey by quitclaim deed to the city of Wall, S. Dak., all right, title, and interest of the United States to the following described lands situated in Pennington County, S. Dak., upon payment therefor of an amount equal to the fair market value of such lands as determined by the Secretary of Agriculture after appraisal of such lands: Tract No. 5299, being a portion of outlet 1 of the south half of the northeast quarter of section 6, township 1 south, range 16 east, Black Hills meridian, more particularly described as follows:

Commencing at a point 15 feet due west of the northwest corner of lot 1 in block 2 of Mackrill's addition to the town of Wall, thence due west 250 feet to the northeast corner of lot 1 of the southeast quarter of the northeast quarter of such section 6, thence south 150 feet to the southeast corner of lot 3 of the southeast quarter of the northeast quarter of such section 6, thence west along the south boundary line of the said lot 3, 150 feet to the east boundary line of block "A" as platted and according to plat on file, thence south 0 degrees 1 minute west 47.35 feet to the southeast corner of said block "A", thence west 483.06 feet to the east boundary line of the public highway as now established, thence on a curve southwesterly 1,600 feet along the southeasterly boundary line of said public highway to the west boundary of the southwest quarter of the northeast quarter of such section 6, thence south 130 feet to the center of such section 6, thence east 2,068 feet along the south boundary line of the south half of the northeast quarter of such section 6, thence north 1,290 feet to the place of beginning, according to the official plat thereof filed in the office of register of deeds of Pennington County, S. Dak., in plat book No. 3 at page 75, and containing 39 acres more or less, except a plot extending 150 feet west and 300 feet south from the northeast corner of such tract and also excluding such part of such tract as may be required for the planned State highway and the spur to connect such highway with Main Street, Wall, S. Dak.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL SEED ACT

The Senate proceeded to consider the bill (S. 1688) to amend section 406 of the Federal Seed Act, which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 4, after the word "amended", to strike out "(1) by inserting '(a)' after the section number; (2) by inserting the word 'knowingly' before the word 'violates', and (3) by adding at the end thereof a new subsection" and insert "to read"; after line 7, to insert:

"(a) Any person who knowingly, or as a result either of gross negligence or of a failure to make a reasonable effort to inform himself of the pertinent facts, violates any provision of this act or the rules and regulations made and promulgated thereunder shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall pay a fine of not more than \$1,000, for the first offense, and upon conviction for each subsequent offense not more than \$2,000."

On page 2, after line 10, to insert:

SEC. 2. Section 204 of the Federal Seed Act (7 U. S. C. 1574) is amended to read as follows:

"SEC. 204. The use of a disclaimer or non-warranty clause in any invoice, advertising, labeling, or written, printed, or graphic matter, pertaining to any seed shall not constitute a defense, or be used as a defense in any way, in any prosecution or other proceeding brought under the provisions of this act, or the rules and regulations made and promulgated thereunder."

On page 3, after line 19, to insert:

SEC. 3. Section 412 of the Federal Seed Act (7 U. S. C. 1602) as amended to read as follows:

"SEC. 412. The institution of any one of the proceedings provided for in sections 405, 406, 409, 410, and 411 shall not bar institution of any of the others, except that action shall not be instituted under both subsections 406 (a) and (b) for the same cause of action. Nothing in this act shall be construed as requiring the Secretary of Agriculture to recommend prosecution, or institution of civil penalty proceedings, libel proceedings, cease-and-desist proceedings, or proceedings for the enforcement of a cease-and-desist order, for minor violations of this act or the rules and regulations made and promulgated thereunder whenever he believes that the public interest will be adequately served by suitable written notice or warning."

And on page 3, after line 9, to insert:

SEC. 4. The amendments made by this act shall be applicable only with respect to violations occurring after the enactment of this act.

So as to make the bill read:

Be it enacted, etc., That section 406 of the Federal Seed Act (7 U. S. C. 1956) is amended to read as follows:

"(a) Any person who knowingly, or as a result either of gross negligence or of a failure to make a reasonable effort to inform himself of the pertinent facts, violates any provision of this act or the rules and regulations made and promulgated thereunder shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall pay a fine of not more than \$1,000, for the first offense, and upon conviction for each subsequent offense not more than \$2,000.

"(b) Any person who violates any provision of this act or the rules and regulations made and promulgated thereunder shall forfeit to the United States a sum, not less

projects of various kinds throughout the world.

If oral guidelines can be laid down by former Governor Stassen under the ICA program, then oral guidelines can be laid down under the 10-year program. It is essential that Congress, in the protection of the money of the people of the United States, should be certain that there shall be no more mere "oral guidelines," but that the rules and regulations shall be explicit and shall be made public, or at least shall be presented to Congress.

SIMPLIFICATION OF WORK OF THE FOREST SERVICE

The Senate resumed the consideration of the bill (H. R. 1855) to amend the act approved April 24, 1950, entitled "An act to facilitate and simplify the work of the Forest Service, and for other purposes."

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

WATER CONSERVATION PRACTICES

The bill (H. R. 7236) to amend section 8 (B) of the Soil Conservation and Domestic Allotment Act with respect to water conservation practices was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, may we have a brief explanation of the bill?

Mr. ELLENDER. The bill simply would permit payments to be made under the Soil Conservation and Domestic Allotment Act for water-conservation practices in the humid areas as well as the arid and semiarid areas. After studies which were made, the Department of Agriculture reached certain conclusions, as follows:

At the time the Soil Conservation and Domestic Allotment Act was adopted by Congress, water problems and the desirability of water-conservation measures were presumed to be limited to the arid and semiarid States lying generally west of the 100th meridian. In recent years it has become increasingly obvious that water conservation is the concern not only of the Western States but of the whole United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954

The Senate proceeded to consider the bill (H. R. 6712) to amend section 1237 of the Internal Revenue Code of 1954, which had been reported from the Committee on Finance with amendments, on page 1, line 7, after the word "business", to insert "and only in the case of property described in the last sentence of subsection (b) (3))", and on page 2, to strike out lines 1 and 2, and in lieu thereof, to insert:

(a) In subparagraph (A) strike out "water or sewer facilities" and insert: "water, sewer, or drainage facilities".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TRANSFER OF CERTAIN AMOUNTS FROM UNCLAIMED PAYMENTS ON UNITED STATES SAVINGS BONDS

The bill (S. 3422) to authorize the Secretary of the Treasury to transfer certain amounts from unclaimed payments on United States savings bonds to the fund created for the payment of Government losses in shipment was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 of the Government Losses in Shipment Act, as amended (50 Stat. 479; 5 U. S. C. 134a), is amended by adding at the end thereof the following new sentence: "The Secretary of the Treasury is authorized and directed to transfer on the books of the Department of the Treasury to the account of the fund an amount not to exceed \$500,000 from the account on such books entitled 'Unclaimed Partial Payments on United States Savings Bonds'."

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD, following the passage of Calendar No. 1731, S. 3422, a statement in explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

The Government has a losses in shipment fund which was established on the books of the Treasury on July 8, 1937, in accordance with the Government Losses in Shipment Act, whereby the Government assumed the risk in its shipment of valuables, including money, bullion, and securities. By the act of April 12, 1943, this fund was made available for the replacement of any losses resulting from payments made in connection with the redemption of savings bonds. As of December 31, 1955, the balance of the fund was \$178,000. Since the fund, under the act of April 12, 1943, is made liable for losses in connection with the purchase of savings bonds, and it is estimated there will be \$106,000 of such losses as a charge to the fund, the balance in the fund will amount to \$72,000. However, since there are in the account "Unclaimed partial payments on United States savings bonds" about \$700,000, representing payments by employees of private corporations under the payroll-savings plan, the bill authorizes the Secretary to transfer \$500,000 from this account to the Government losses in shipment-recovery fund. This will make it unnecessary for the Treasury to seek an appropriation from Congress to replenish this fund and will still leave \$200,000 in the account "Unclaimed partial payments on United States savings bonds," which is more than sufficient to meet all anticipated claims in that account.

Mr. BYRD. Mr. President, the report on the bill just passed, as printed, contains an error in a date. I ask unanimous consent that the corrected report be printed at this point in the RECORD.

There being no objection, the corrected report, Report No. 1706, was ordered to be printed in the RECORD, as follows:

REPORT (TO ACCOMPANY S. 3422)

The Committee on Finance, to whom was referred the bill (S. 3422) to authorize the Secretary of the Treasury to transfer certain amounts from unclaimed payments on United States savings bonds to the fund created for the payment of Government losses in shipment, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

GENERAL STATEMENT

This bill will authorize and direct the Secretary of the Treasury to transfer, not to exceed \$500,000, from the account "Unclaimed partial payments on United States savings bonds" to the Government losses in shipment revolving fund.

The Government losses in shipment revolving fund was established on the books of the Treasury on July 8, 1937, in accordance with the provisions of the Government Losses in Shipment Act (5 U. S. C. 134-134h), whereby the Government assumed the risk on its shipments of valuables, including, money, bullion, and securities. This act authorized an initial appropriation of \$500,000 and annual appropriations of \$200,000 for each of the fiscal years 1939 to 1948, inclusive, making a total of authorized appropriations of \$2,500,000. Actual appropriations to the fund have amounted to only \$802,000. The balance of the fund as of December 31, 1955, was \$178,000. Additional appropriations will be required in the future unless other means of obtaining funds are provided.

By the act of April 12, 1943 (31 U. S. C. 757c (i)), the fund was made available for the replacement of any losses resulting from payments made in connection with the redemption of savings bonds. From October 1, 1944 to September 30, 1955, paying agents paid 1,269 million savings bonds aggregating \$55,177 million. There were only 65,237 bonds aggregating \$2,983,000 erroneously paid, in most cases, due to forgeries of the signatures of the owners of such bonds. Of this amount \$2,136,000 has been recovered from owners, paying agents, forgers, and others. Of the remaining \$847,000 the Government losses in shipment fund has been charged with \$494,000 and the amount of \$353,000 is in process of collection. Based on past experience, about 70 percent, or \$247,000, of the amount in process of collection will be recovered, which would leave the remainder, or about \$106,000, as a possible charge to the fund.

Funds in the account "Unclaimed partial payments on United States savings bonds" represents unclaimed partial payments on the purchase price of savings bonds made by employees of private corporations under the payroll savings plan. The Treasury agreed to accept these funds at the request of private corporations to enable the corporations to close these small accounts on their books. Since 1944 about \$746,000 has been received for credit to this account, representing about 148,000 individual accounts. This is an average of about \$5 for each account, and includes over 46,000 accounts of less than \$1 aggregating over \$17,000 which has been credited to miscellaneous receipts of the Treasury. To date claims paid from the fund have amounted to less than \$29,000. In the last 5 years claims have amounted to less than \$1,000 each year. There would remain a balance in this account of about \$200,000, after the transfer requested by this proposed legislation, which is considered sufficient to meet all anticipated claims.

Public Law 472 - 84th Congress
Chapter 175 - 2d Session
H. R. 374

AN ACT

All 70 Stat. 99.

To authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to clarify and adjust the ownership of certain tracts of land situated within the exterior boundaries of the Stanislaus National Forest, California, the Secretary of Agriculture is authorized on behalf of the United States to accept from the persons claiming title under patent from the State of California a deed of conveyance of the lands described as follows: South half northwest quarter and north half southwest quarter of section 29, and south half northeast quarter, south half northwest quarter, northeast quarter southwest quarter, northwest quarter southeast quarter, and northeast quarter southeast quarter of section 30, township 4 north, range 19 east, Mount Diablo meridian, California, which lands are a part of the Stanislaus National Forest and subject to all laws and regulations applicable to said national forest, and the Secretary of Agriculture is further authorized to thereupon quitclaim and convey to the grantors of the lands described above all right, title, and interest of the United States in and to the lands described as follows: South half southeast quarter of section 25, and northeast quarter northeast quarter of section 36, township 4 north, range 18 east, and south half south half of section 30, and north half north half of section 31, township 4 north, range 19 east, Mount Diablo meridian, California, subject, however, to reservations of such easements for road rights-of-way as the Secretary of Agriculture may determine to be necessary for the protection and administration of the Stanislaus National Forest.

Stanislaus
National Forest,
Calif.
Land title clari-
fication.

Approved April 6, 1956.

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